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Kashmir and Sher-e-Kashmir

A revolution...derailed!

P L. D. Parimoo

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For Aseem,Seemaa and Gen.X
with fond hope that the ancient culture
of Kashmiriyat is safe in their hands.

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FOREWORD

It is interesting that my friend Mr.P.Parimoo has been busy writing about Kashmir of our lifetime, while I have been busy unveiling the Kashmir of the ancient past. His work may be as relevant to the society as may be mine, for without a past there is no future.

The changes in Kashmir since 1930s are probably unparalleled in the History of Kashmir as are the challenges faced by Kashmiriyat, the ethos of Kashmir.

The political happenings since 1930s though lived through, and experienced by my peers and those of my genre make an interesting reading because of the blow-by-blow account of the background details, dug out painstakingly by the writer of this book.

Kashmir has lots to back its claim of a unique identity that has been a subject of contention especially since 1947.It was Kashmir that gave birth to, and prorogated the progressive school of Mahayana Buddhism. The Kashmiri monks faced the hostile terrain and still more hostile climate that carried this school of Buddhist thought to far off Central Asian countries of Tibet, China and its neighboring countries. Again, Kashmir developed the philosophy of Kashmiri Shaivism very distinct from Advaita Vedanta. The contribution to Sanskrit literature by Kashmiri scholars has been voluminous be it in the field of history or philosophy. Even the Kashmiri architecture stands aloof in its splendor be it manifested as temples like Martand or the mosques like Shah e Hamdan. The distinctive Kashmiri

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psyche, asserted its individuality post Islamic religious reform after 12th century A.D. The result of the spiritual renaissance led to the evolution of what is known as Silsila Rishyan. The founders of this religious ethos Lal Ded followed by NundRishi built the strong edifice and imparted the unshakeable qualities of universal brotherhood and social tranquility to the Kashmiri ethos. The fundamental feature of a highly developed culture that has withstood the test of times and continued to do so even as a unique revolution ignited by a unique leader engulfed the slumberland of Kashmir. The reader of events affecting Kashmir from 1931 can find in this book, aptly titled, Kashmir, and Sher-e-Kashmir. A revolution... derailed.

Sufi Mystic :- PROF. FIDA MOHAMMED HASSNAIN
Srinagar. 30-10-2012

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Introduction

A revolution was overdue if one ponders over the events in Kashmir when the slumbering lotus-eaters, Kashmiris, were shattered out of their inertia by the roar of the Lion. The serene valley of languid lakes, silent snow capped giant Himalayan peaks and the gently whispering streams and forests only provided a deceptive camouflage to the restless molten mass of lava that was out of human sight and raring to explode.

While my earlier book, Kashmiriyat at crossroads, was an attempt to draw the sketch of a tranquil society jolted out of its slumber in 1930's,the current presentation attempts to draw in detail the traumas of the gore and glory which have been regularly visiting the state like the unpredictable aftershocks of a mighty earthquake. The most misunderstood personality of the past millennium, who happens to be the father of Kashmir's socio political awakening, remains a controversial personality until today as he was even during his own eventful lifetime.

Sheikh Mohammed Abdullah, a man whose forthright philosophy, transparent political statements, and honest projections of his aims and objectives confused his detractors the most, was best understood and most loved by the huge mass of Kashmiri followers. The fact remains that the annunciation of his well-defined programme devoid of any ambiguity, political hype, and jargon for his people remained unchanged, un-amended and unaltered throughout his career up to his last breath. True he was neither a hot headed Che Guvera nor a muzzle -of the- gun loving Mao Tse Tung. Nevertheless, serious students of statecraft cannot fail to take note of the startling fact that Sheikh, the man with the dove on his broad shoulders,

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could achieve for his beloved peasants with the scribble of his pen what cost blood baths for Mao, Stalin and their ilk to achieve for their own people.

The uncharitable and occasionally callous barbs thrown at him by his detractors now as then, owe their understanding or lack of it to the fact that Sheikh Abdullah did not navigate his craft merely looking at his compass needle, but kept his eyes open and ears glued to the ground. He navigated his craft much in the fashion of Sea captains of the Northern seas who constantly endeavor dodging the multitudes of treacherous rocks while navigating the Norwegian fjords. His constant maneuvering outfoxed his peers making them cry foul out of their own frustrations. There probably was one person who understood his political maneuvers that made him comment, "The only leader I recognize of Kashmir is Sheikh Mohammed Abdullah.".... J.L.Nehru.

The book goes beyond the era of Sheikh Sahib; the traumatic upheavals caused by quixotic politicians on whom power was thrust upon and the unheard wails of the people of the cursed valley. The orphaned masses suffering the lack of a visionary's guiding hand, groping in vain for another one like him and woeing the derailment of a noble revolution brought about by the single minded devotion of a farsighted leader.

P.Parimoo

Ahmedabad

9th November 2012.

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Sheikh Mohammed Abdullah : Aatish Chinar.

Shri Jag Mohan : My Frozen turbulence in Kashmir.

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Book-1

Sheikh Mohammed Abdullah
and
the revolution

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Chapter-1

The birth of a revolution, a leader is born! Backdrop for the revolution, life Sketch of Sheikh Mohammed Abdullah, creation of an organization.

"One of the most handsome yet the most miserable looking people", the paradox for the people of Kashmir was expressed by none other than the most outstanding Kashmiris yet born,Sheikh Mohammed Abdullah.The man who earned the title of Sher e Kashmir,the lion of Kashmir!

Back drop.

The will of a nation crushed beyond redemption, trodden over by centuries of apathetic foreign rule, lay helpless, reduced to sub human existence by centuries old heartless exploitation. The ravings of foreign travelers about the stunning spectacles of nature could not suppress their humane instincts to make notes of heart-wrenching accounts about the conditions of a people demoralized though not dehumanized. The conditions of Kashmir after a hundred years of Afghan tyranny and Sikh misrule can be imagined well, but the accounts of travelers portray a grimmer picture of those times, when lashing of starving artisans and flogging of unpaid labor working under the system of beggar (labor done without compensation) was an open practice. German traveler, Baron von Schonberg, has written; "I have been to many lands but nowhere the conditions of human beings present a more saddening spectacle than in Kashmir". According to him the scenes in Kashmir reminded a person of the history of Israelites under Pharaohs, when the Israeli slaves were flogged by their pitiless taskmasters."

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People say that history repeats itself but in case of Kashmir, history seems to have mercilessly repeated itself many times over, both as tragedy and as farce. The long period of occupational rule by foreign exploiters, savages in character and greedy by nature, had crushed the spirit of national dignity and assertion. Ironic as it might sound today, the majority community of Muslims did not dominate the politics of Kashmir, but in the late 19th and early 20th century, the tiny minority of Kashmiri Pundits did so though only marginally.

A bit better organized was the community of Kashmiri Pundits, than their brethren, the Muslims. However, the Pundit leaders preferred to remain aloof from the miserable conditions of the majority population and their politics did not concern the powers that ruled or the way they ruled; nor were they interested or even aware of the revolutionary waves lashing the Indian subcontinent. Their prime occupation was how to preserve and maintain their extreme conservative social practices and thwart any attempts to change the evil social systems prevalent amongst their society. Much later in mid thirties did a younger generation take things in their hands that strived to replace the old reactionary, anti-reformist leadership of their society and bring it into mainstream politics of National Conference.

The void in the majority population of Kashmiri Muslim political leadership initially started with Mughal occupation that only worsened with successive Afghan and Sikh autocratic governors who ruled Kashmir by terror and with the sole aim of plunder. The Afghans came to power after the decay of the Mughal dynasty at the centre in Delhi. To escape the extreme Afghan tyranny, influential and well-off Kashmiri Muslim gentry and the

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Muslim intelligentsia, either fled Kashmir or receded into oblivion accompanied by the widely known exoduses from the valley of the Kashmiri Pundits. In the absence of a proper nurturing ground and a conducive atmosphere needed for the evolvement of an effective leadership, the masses of Muslims were dependent on the mercy of a few mullahs who could never replicate the role of political leaders and politicians. The succeeding Sikh rule, brief as it was, also provided no succor to Muslims, which might have provided the requisite culture for a sound Muslim political structure and hierarchy to evolve.

Syed Mir Qasim a veteran Kashmir politician mentioning the conditions of Kashmir writes in his book: My life and times- "...but into paradise Eblis could only briefly sneak, while in Kashmir he ruled through his agents. In other words through most of its history, Kashmir the paradise on earth was ruled, not by representatives of God, but by evil forces."

Ascending the throne of Kashmir in 1925, Maharaja Hari Singh in his early euphoric days, appointed one Bengali, Sir Albain Bannerji as his political and foreign minister to help improve the socio/economic conditions of Kashmir.

Sir Bannerji wrote, "The masses driven like cattle are illiterate especially in rural areas." Ruing the absence of press and media, he wrote there is no link or communication between the rulers and the ruled. Moved by the plight of Kashmiri masses Sir Bannerji tried to alleviate the sufferings of people but looking to the apathy of the Government gave up his efforts and resigned in frustration. The appalling sight of mass illiteracy that caused revulsion to Sir Bannerji was compulsive indeed.

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The obscurantist orthodox Muslims clinging to archaic models of thought vehemently opposed all efforts in the direction of establishing new types of schools for the Muslim scholars. The Mullahs as the custodians of the Muslim mind and conscience hatefully castigated any of the Muslims motivated by the idea of admitting their young children to schools imparting liberal education. Muslims denounced as heretics for ignoring or challenging the Mulla dictates were forced to abandon their plans for radicalizing and reforming the mind-set of the Muslim community towards education as a whole.

It is pertinent to mention the laudable efforts of several Kashmiri Pundits in their individual capacities to spread knowledge amongst their Muslim brethren. The Kashmiri Hindus whose educated background was almost hereditary were instrumental in introducing the Kashmiri Muslims to the light of modern education by slow but sustained efforts. Moulvi Rasool Shah, a man dedicated to the cause of modern education for Muslims, despite opposition from conservative Muslims undertook the vital project of setting up the Islamia School for the Muslim scholars. He undertook the daring step with a view to introduce the Muslim youth to westernized education apart from the religious teaching considered far greater in importance than the liberal pattern of education. The Muslim opinion generally remained dead-set against any form of liberal education assumed for a long time to lead to the dilution of Islamic teachings in the mind-set of the young minds. Physically assaulted and manhandled, Moulvi Rasool Shah stood steadfast, as did the Kashmiri Hindus, who had stood by him in undertaking the pioneering work. They were warned of dire

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consequences if they continued to meddle in the religious affairs of Muslims though the reform was meant for better and greater education alone.

Despite the bitter opposition and to the chagrin of the Muslim conservatives, Islamia School was established with the active support of the Kashmiri Hindus. The said-school used to be manned and run by the Kashmiri Pundit teachers of high academic worth and has been the fountain head of an educated elite of the Kashmiri Muslim society.

Shri Kanth Koul, another Kashmiri Pundit with a missionary's zeal founded National High School at Baramulla. The said school has rendered a yeoman service to the Muslims of Baramulla, denied the privilege of a western education until that time. The plight of Muslim women, wallowing in the depths of an extremely backward and callous society was a disgusting spectacle of Kashmiri society. Moved by their plight, Pundit Sri Kanth Toshkhani, Professor S.P. College, Srinagar established a school for Muslim girls. The Muslim girls were denied the essential enlightenment of a modern education by an ultra conservative and poor society. Pundit Toshkhani and the Kashmiri Hindu lady teachers launched upon a door-to-door campaign beseeching the Muslims to send their daughters to the school. Hindu lady teachers would even go to the homes of Muslim girls, the first generation learners of backward and ignorant parents, to provide them motivation and personal guidance.

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Taxation and white slavery

The vanquished have perforce to surrender everything to the conquerer,even the last shreds of human dignity .

The taxes levied on the miserable Kashmiri peasants tell a heart wrenching pathetic tale. The exorbitant taxes during the Afghan and Sikh rule left the farmer starving for most of the year and led to abandoning of vast tracts of fertile land and highly productive orchards in the countryside. A report of the times reveals that only one sixteenth of land available for cultivation was put to plough. The horrors of 1852 famine moved the Sikh rulers to reduce the agriculture revenue to half instead of 3/4ths as was the practice formerly. However, it was further subject to the corrupt greed of revenue officials.

Pt.Prem Nath Bazaz, a social activist and a noted politician of Kashmir writing about the appalling poverty of masses, comprising mostly the Muslims says, "Most of them were landless labourers working as serfs; driven into docility, by chronic indebtness to land lords and moneylenders. Without knowledge of human rights, they have even lost the sense of self-respect. Being illiterate they lacked representation."

The gross exploitation of the masses was not confined only to back breaking taxation system on handicrafts like shawl making, carpet weaving, or to the blood sucking of the semi starving peasantry. In its greed, the State had stooped low to demeaning and dehumanized levels of promoting and enforcing of flesh trade under duress, a fact that sounds too horrible today. Even the later day political leaders engaged in and dedicated to awakening of the Kashmiri masses, avoided to talk publically about the soul destroying wide spread practice of enforced and state regulated prostitution in Kashmir.

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Prostitution is infamous as the World's oldest profession and is prevalent practically in all the nations. However, history was made for the flesh trade enforced by the ruling authorities in Kashmir. Afghan governors not only had organized squads of boys for the purpose but also forcibly procured girls as Hafiz nagma dancers for their own and their guests' amusement. The trend was set by the Afghan governor Amir Khan Jawan Sher (1770-1776). After handing over the executive powers to his chief Minister, Mir Fazil Kanth, the Afghan governor abandoned himself unto a life of luxury, drinking, and debauchery.

Prof.Fida Hussain an eminent historian writes, "Mughals who had named Kashmir as Baag-i-Khas (special garden) used the valley as a pleasure garden to entertain their guests in the Mughal gardens...it also became a practice during their era to procure beautiful Kashmiri girls for their Subhedars, Mansabdars, and nobles of the court."

The Sikhs followed the suit and added the concept of long specially designed shikaras rowed by bevies of young maidens wearing many glass bangles so as to create a sensuous rhythmic sound while they rowed, the officials being entertained in these boats. Dogra rulers, though shunning from exhibitions of lecherous conduct of their predecessors, the Sikhs and Afghans turned the obnoxious system into a revenue-generating tool for the exchequer. Forced recruitment of young girls from far off desolate villages into white slavery was a further extension of the enforced wage- less beggar system for men to construct roads in tough terrains of Himalayan mountains. The inhuman rule was applicable to all except the Pundits and Muslim Moulvis and Peers.

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The girls forced into prostitution, could give it up either after paying heavy fines to State or risking their very lives. Protector goons who functioned as watchdogs for the administration supervised their dens as also their regular and timely tax payments to the Revenue department. The areas with highest density of such houses of ill repute were Maisuma, Taashwan besides smaller pockets near Drogjan and Barbar shah of Srinagar city.

Robert Thorpe and Walter Lawrence have written about taxes during Dogra regime. Besides the Khutna (circumcision tax), they also mention about flesh trade tax known as Kanjur tax. The rulers not only protected the obnoxious trade but also encouraged and at times enforced the procurement of young girls in Kashmir and their sale to houses of ill repute in cities like Lahore, Peshawar, Delhi, Lucknow, and the far off city of Calcutta.

The Kanjurs were a low caste community in Kashmir whose hereditary profession lay in recruitment and sale of girls to flesh trade barons of Northern India. The Kanjur tax imposed by the state revenue, demanded 50% of the earnings of a sex worker, besides a hefty annual license fee. Maintenance of the official records was mandatory. After the death of a sex worker, her property belonged to the state.

Arthur Brinkman in his work- "The wrongs of Kashmir" published in 1867 indicted the Government of the Maharaja for patronizing prostitution in Kashmir. In 1868, Robert Thorpe wrote that Kashmiri girls were being forced into prostitution by the authorities with sole purpose of earning more revenue from

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licensing the flesh trade. A survey carried out by the State authorities under pressure of the British, revealed that Kashmiri girls employed in the vicious trade of North India numbered more than sixty thousand while as the number of licensed sex workers engaged in the flesh trade was 18,715 in valley alone. A survey made by the Church mission Society in Srinagar revealed that during the years 1877-1879 the number of patients treated for venereal diseases was 12,977 as recorded in the Mission Hospital alone! It is anybody's guess that the figures must have been revealing only the tip of the iceberg, given the attitude of society towards the v.d menace of those times.

It was an unknown citizen, a barber by the name of Subhan Hajam of Maisuma, Srinagar, who raised a cry against the national shame. Single handedly he ran a campaign against the degrading corruption that had spread its vicious tentacles through out the city of Srinagar. The unrelenting one-man campaign succeeded in exposing the complicity of the police and revenue officials in encouraging, abetting and protecting the criminal activities. With the help of school children and the respectable women folk, Subhan Hajam succeeded in organizing a strong movement of public dissent against the rackets, which flourished on a large scale with police protection.

Prof. Dr. Fida Hussain in his write up on Subhan Hajam has this to say: "Mohammad Subhan Hajam is a Kashmiri icon, a reformer, a social activist, and a visionary who succeeded in mobilizing public opinion for eradication of prostitution in Kashmir and succeeded in his mission during his life time. He owned his saloon near the present day Lal Chowk, Srinagar. Despite his meager income and frail physique, he was equipped

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with great moral courage to face all challenges. In the first place, he composed poems in Kashmiri and Urdu, against prostitution, which was eating the vitals of the society. In his verses, he hurled insults and taunts on the pimps and prostitution. In his poetic compositions, termed as Hidiyat-Nama or guide lines, he exhorted the people to remain away from the brothels. He wrote that these prostitutes were the main source of disturbing martial relations as well waste of money besides the cause of life threatening diseases. Mohammad Subhan Hajam also compiled pamphlets, drawing attention of the Maharaja's government towards this menace, which had entrapped the society in venereal diseases besides several other attendant miseries. He appealed to the Maharaja to take serious notice of this malady and impose ban on it. These Hidayat-Namas published in the local press gained great popularity amongst the populace."

Prof.F.Hussain further adds that Mohammad Subhan Hajam would meet religious leaders, influential people in the civil society and officials and seek their support in his mission. He would impress upon them to put pressure on the Maharaja in one way or the other. He himself led picketing of the red light areas. He would lead a group of people, mostly young men, singing his poems and raising insulting and derogatory slogans against the Kanjars and Kanjaris.

Terrorized and attacked several times, Khwaja Mohammad Subhan Hajam faced ire of the pimps and goons employed by keepers of the prostitution dens. Several false cases instituted against him in the courts of Srinagar to suppress his voice kept him on tenterhooks.

A rich and influential red light area chief known contemptuously as Khazir Gaan, his name being Khazir, (Gaan a contemptuous

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word denoting a prostitution den holder), spearheaded all these attacks on him. He would corrupt police officers to seek vengeance on Mohammad Subhan Hajam. However, none of these intimidating attacks could succeed to bow down the crusader, who had now succeeded in winning the hearts of all sections of the society – Muslims, Pundits, and Sikhs. He even received support from the Church Mission Society and Rev Tyndale Biscoe, the doyen of education in Kashmir.

It was Moulvi Mohammad Abdullah Vakil, who raised the issue in the Praja Sabha in 1934 and proposed exacting of a law for the closure of prostitution houses in the State and ban on the flesh trade. In fact, he had raised his voice against this vice on behalf of Mohammad Subhan Hajam, who had succeeded in mobilizing support of the elite for his mission. Even the leaders of the Muslim Conference, came forward to help him by inviting the attention of Maharaja Hari Singh to issue orders for the ban of flesh trade in his State.

Ultimately, the Viceroy of India asked the Maharaja to provide him detailed information, about the flesh trade in Kashmir. In view of the laudable efforts of Mohammad Subhan Hajam, the Maharaja issued orders banning sale and purchase of women in the State and closure of red light areas in Srinagar as well as Jammu. He even ordered deputation of two Police officers to find and repatriate Kashmiri girls from the red light areas of Rawalpindi, Lahore, Peshawar, Quetta, Delhi and Lucknow.

Prof.Fida Hussain opines that history will remember the name of Mohammad Subhan, the great luminary of Kashmir, for all times to come. He is a Kashmiri icon who single-handed freed the State from the menace of prostitution. He is one amongst the heroes of Kashmir, and we Kashmiris are proud of him.

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Crushed to dismal depths of poverty, illiteracy and shame a once proud people, the descendents of LalittaDitya and Zain ul Abdin were voiceless, leaderless, praying to their Gods for elementary mercies.

A leader is born

Bhagwat Gita, the Holy book of Hindus mentions,

"Yada yada hi Darmasey Glanir bavtu Bharata;
Adhbhiuv thanam adharmasey,Tadatmanam sujamiham"

Whenever the sufferings of a people go beyond the limits of tolerance and civilized behavior, God almighty sends his Avatar to rectify the situation.

Moses was born to lead his people out of their centuries old grinding slavery and poverty in Egypt. Kashmir did witness a similar coming of its savior, though there were no new stars sighted in the sky nor were any signs foretold by the seers, when in the year 1905 a son was born to a middle class shawl dealer, Sheikh Mohammad Ibrahim of Soura village near Srinagar just eleven days after his demise.

Sheikh Ibrahim was the descendant of a Kashmiri Pundit named Ragho Ram Koul who converted to Islam in 1890 under the spiritual guidance of Saint Rashid Balkh. After conversion, he changed his name to Sheikh Mohammed Abdullah. Thus, Sheikh Abdullah of our times was the namesake of the ancestor of his family branch.

According to Sheikh Abdullah, utter poverty marked his early childhood as his stepbrother mistreated his mother. His mother was keen that her children should receive proper education.

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First admitted to a traditional school or Maktab as a child, he learnt the recitation of the Quran and some basic Persian texts like Gulistan of Sa'di, Bostan, Padshanama, etc. Admitted to a primary school in 1911 he studied for about two years there. His elder stepbrothers then stopped his further education and he was first set to work in the family workshop embroidering shawls and later asked to sit on a grocer's shop as a sales boy. However, their family barber Mohammed Ramzan prevailed upon his uncle to send him back to school.

The tiresome walk to the school and back seemed insignificant compared to the joy of learning for the young Sheikh. He passed his Matriculation examination from Punjab University in 1922. After matriculation, he obtained admission in Sri Partap College, the leading college of Kashmir. Because of extreme poverty, he had to walk the distance of about fifteen miles from Soura to S.P.College and back. This affected his health so severely that he needed hospitalization, most likely a result of malnutrition and severe physical strain. Admitted to the Mission Hospital under the treatment of the famous Neve brothers he recovered completely. Moved by his illness his elder brother Sheikh Maqbool agreed to pay for the hostel fees. Allowed admission to Islamia College Lahore after passing his intermediate (F.Sc.) examination he completed his B.Sc. Following which, he obtained admission to the M.Sc.course in Aligarh Muslim University. He earned his Masters Degree in Chemistry in 1930 thereby qualifying as the first Kashmiri Muslim to have obtained a Master's degree in Chemistry.

Akbar Jahan was of an Anglo Indian extraction. She was the daughter of Mr. Michael Harry Nedou, the son of a European hotelier who owned Nedous Hotel in Srinagar. Michael Harry

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Nedou also owned a hotel at the tourist resort of Gulmarg. Sheikh Mohammed Abdullah married Akbar Jahan in 1932, who in later years became known as Begum Abdullah and was endearingly called Madr e Meherban by the people .

As a student at Aligarh Muslim University, Sheikh Mohd. Abdullah met persons of liberal and progressive ideas who influenced him largely. He was convinced that the feudal system was responsible for the miseries of the Kashmiris and like all progressive nations of the world, Kashmir too needed a democratically elected government. The lectures of a Kashmiri intellectual, lawyer Moulvi Abdullah greatly inspired Sheikh Abdullah and his colleagues. Subsequently Moulvi Abdullah's son Moulvi Abdul Rahim, Sheikh Abdullah and Ghulam Nabi Gilkar were the first three Educated Kashmiri youth to be arrested during the public agitation of 1931. (Ref: Aatish Chinar)



Sardar Gohar Rehman, Mistri Yakub Ali, Sheikh Mohd. Abdullah, Ch. Ghulam Abbas. Standing (Rt. Moulvi Abdul Rahim & on left Ghulam Nabhi Ghilkar.)

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Building of an organization.

There have been several isolated instances of Kashmiri rebellions against Mughals after Emperor Akbar annexed Kashmir in 1579 A.C.But all these uprisings had little impact and died largely unknown deaths. The Mughals, the Afghans or the Sikh rulers did not have to face any well-organized movement against them by Kashmiris. Though crushed, the spirit of revolt against tyranny was far from dead as the events four centuries later proved.

Allama Iqbal has beautifully expressed this painfully slow recovery for the urge to stand for human dignity:

Jis Khaak Ke Zameer Main Ho Aatish-E-Chinar,
Mumkin Nahin Ki Sard Ho Woh Khaak-E-Arjumand

(Conscience that carries within it the fire of Chinar that celestial dust will refuse to cool down ever!)

It was after about four hundred years that Kashmiris organized a proper movement for their rights in 1931, which could claim a mass following. Kashmir's first political party the Muslim Conference was formed on 16th Oct 1932 with Sheikh Mohammed Abdullah as President, Chaudhary Ghulam Abbas as General Secretary, and Moulvi Abdul Rahim as Secretary.

In October 1932 Muslim Conference constituted a committee, which included Moulvi Abdullah and nine other members for the purpose of establishing contacts with non-Muslim parties and exploring the possibility of forming a joint organization. According to Sheikh Abdullah, this effort was not successful because of the reactionary attitude by the non-Muslim

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organizations. As a corollary to which, this movement was exclusively organized by Muslims of the valley. They formed about 90% population of the Valley and were at the bottom of the social and economic strata. Moreover, the vocal Pundit society, which had organized under the banner of Dharam Sabha, confined its sphere of activities only to the social and religious problems of their own small community. The earlier leadership of their Dharm Sabha was least inclined to worry about broader issues of the state nor was it interested in who ruled them and how.

Sheikh Mohammad Abdullah led the people of Kashmir for more than half a century. Ever since his plunge into politics, he consistently engaged in this struggle, a struggle that changed many a colors and hues in his lifetime. Confined to demand of Government jobs for Muslims during the infancy of this struggle, it raised other problems pertaining to Muslim community, later it strived to obtain better deals for the Muslim community in varied fields. Subsequently Sheikh Abdullah successfully persuaded the members of the Muslim Conference to change its name to National Conference to reflect its role as a secular democratic party representing the aspirations of all the citizens of the State irrespective of their caste, creed, or religion. In post 1947 years this struggle had to face very complicated situations.

As the Supremo of the movement, Sheikh Sahib had to face sometimes the ire of Pakistan, sometimes of India and more often the anger of both sides i.e. India and Pakistan simultaneously. For fifty years i.e. from 1931 to 1982, he led the masses of Kashmir. How successfully he accomplished his job and attained his goals raises many a questions. Different people have

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different assessments concerning these questions as also about the personality and politics of Sheikh Sahib. For this purpose, it becomes pertinent to describe in detail the various trials, tribulations Sheikh Sahib had to undergo, and the forces of opposition he had to encounter for attainment of his goals.

Birth of a revolution.

It was after centuries of humiliation that in 1931 Kashmiris for the first time vowed to rid themselves of enforced slavery and cruelty of an autocratic rule in an organized manner. To ignite the revolutionary spirit of the masses, mentally conditioned to live like slaves, was no mean achievement. After waking up the masses, it was imperative to give the movement a correct direction so as not to fritter away its intrinsic energy by letting it go in wrong or misleading directions. The people needed a courageous, self respecting, clear thinking man of high principles to lead the movement. They found what they required in Sheikh Mohammed Abdullah, a man steadfast in his principles who would not betray his people under pressure or out of greed. After assuming the leadership of his people, he did have to face threats and tolerate extreme coercive pressures to force him forego his chosen path. The severity of threats and the degree of pressure that Sheikh Sahib had to bear with, can be well visualized when one reads the reported dialogue between him and the then Prime Minister of Kashmir Shri Hari Kishen Koul in Sept.1931.

Mr.Koul had called a delegation of Muslim representatives for discussions about the political developments in the state. The delegation included Mir Waiz Mohammed Yusuf Shah and Sheikh Mohd.Abdullah. The Governor of the state and top Police

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officials had already reached the venue of the meeting, which was at Mr.Koul's official residence. "You are a great scoundrel and are not mending your nefarious activities" Mr. Koul is reported to have thundered while addressing Sheikh Sahib. In reply to such a provocative language Sheikh Sahib replied, "Before talking to you, I would request you to take back the uncivilized derogatory remarks you made about me just now." "About a month and half back you boasted to me and my dear colleague, Ch.Ghulam Abbas of having sabotaged and destroyed the Sikh movement in NanKana Sahib and you said Muslim movement in comparison has no substance and standing. You even threatened the very existence of our mosques and total annihilation of the Muslim movement. Today you have used an even worse and uncivilized language that is intolerable to my people and me. I have not indulged in any subversive illegal activities but on the contrary have been requesting people in the mosques to adhere to the presently accepted conditions and terms of our agreement. All I do is to recite verses of Holy Quran, albeit the government is dishonoring the terms of our agreement."

Replying to this the Prime Minister Koul spat out venomously, "You talk rubbish. The CID reports against you compel me to teach you people a lesson. You and your people do not desist from mean subversive actions." Sheikh Sahib replied, "The intelligence reports you are getting are baseless and misleading. I have repeatedly been requesting the Government in general and Maharaja Bahadur in particular to personally visit and listen to our speeches. The people filing false complaints against us are the same people who had made baseless allegation against my people of having murdered a Pundit girl. The secret

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police are constantly filing false information reports against my people and me and no one undertakes to probe the allegations. Discriminated against, God alone knows why, we suffer. Regarding your threat to teach a lesson to my people and me, I can only say that you will only be destroying the foundations of the State Government that you head. It is now ages that Kashmir has become a symbol of an oppressed society, I do not wish to dig out the dirt of the past, but shedding the Muslim blood will prove very dangerous to the Government. I also suggest you not to try to change or suppress the determination of the people of Kashmir. Not only the loyalty of our people towards the Maharaja remains intact but also can be enhanced further provided you too take steps to wipe off the tears and grievances of the people. Muslims who form 99% of the population are law-abiding people. It is my heart felt desire that the relations of the ruler and the ruled be pleasant and improved further."

"You are a treacherous fellow and deserve to be put behind bars, I will see what you and your people can do against me or my administration." retorted Mr. Koul of a foul tongue and temperament. Addressing the police officers, he ordered them to arrest all the top followers of Sheikh Sahib wherever they are, except Mir Waiz. In reply, Sheikh Sahib said, "Remember I don't worry about going to prison or any other punishment you might mete out to me. Thousands of my comrades are ready to go to prison along with me. Just open the doors of prisons and see who and how many fill up those prisons. I however repeat that you are in no way a well-wisher of the Government but both you and your brother (DayaKishen Koul) have done an irreparable damage to the state Government. You wish to test the sense of self-respect and integrity of Muslims, but I may tell you that a few sycophant

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Muslims or Congress party's Muslim followers who are your friends or even the influence you wield in Government of India circles cannot absolve you of the stigma. Think what the world community will say about the Government where Muslims are treated and slaughtered like animals. The curse of the victims will haunt you and a power will rise to help us to the extent that will be bewildering to you."

Placed in the dungeons and ordered imprisonment with labor Sheikh Mohammed Abdullah and his followers had to spin six chattanks (375 grams approx.) wool a day. (Reference: Rashid Taaseer in Hurriyat Kashmir.)

Following this event, the people of Kashmir fought all the trials and tribulations they had to suffer under the leadership of Sheikh Sahib. He was repeatedly imprisoned but remained steadfast in his struggle against the autocratic rule. On 11th July1931 while delivering a speech in the Batmalna Mosque Sheikh Sahib suggested a temporary suspension of agitation. On 12th July he along with his comrades spoke in the mosque of GaavKadal to a very large gathering at the end of which people fired with a revolutionary zeal, emerged out of the mosque singing the famous song from Iqbal,

Sar faroshi ki tamaana ab hamaarey dil mein hay
Dekh lein ge zor kitna baazuye kaatil mein hay

(The desire of revolt is fomenting in our hearts, Let us face, and test the strength of the murderer.)

13th. July 1931 will go down as the red-letter day in the history of Kashmir. On this day, Kashmiris had their first organized large scale clash with the powers that resulted in the martyrdom

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of several young men. This was followed by large-scale arrests of activists led by Sheikh Mhd.Abdullah, Sardar Gohar Rehman, Ch.Ghulam Abbas, Moulvi Abdul Rahim and Ghulam Nabi Gilkar. To affect these arrests Brig.Suderland entered Jama Masjid with his forces. This arrest was the forerunner of a series of arrests of Sheikh Sahib, nearly five times, had he to go to prison. On 20th May 1946, Sheikh Sahib was sentenced for nine years in prison because of his "Quit Kashmir "movement and the ire he had invited against himself of R.C.Kak the P.M of the state. Sheikh Sahib's series of imprisonments did not end even after 1947.His arrest on 9 August 1953 confined him to prison for four years and six months. Followed by another stint in prison from 29 May 1958 to March 1964.Hardly a year later he was again arrested in May 1965 at Palam airport and lodged in a Madras prison up to January 1971.However on his release he was denied permission to enter Kashmir.

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Chapter-2

Political philosophy of Sheikh, Glancy commission, emergence of National conference, Mr. Jinnah's visit, Quit Kashmir movement.

Political philosophy of Sheikh Mohammed Abdullah.

Sheikh Mohammed Abdullah's initiation of the political movement, which manifested itself as the revolutionary Naya Kashmir programme, was akin to a lonely man daring the stormy and choppy Wullar Lake to row across it in a small miserable leaking boat and attaining his goal of reaching the other bank, a victorious hero. The dream he had of Kashmir's destiny in world politic was obviously not comprehensible to sub continent's polity.Now the understanding of his objectives has started dawning on the intellectuals and policy makers of what Sheikh had the vision of decades earlier,namely a Greater Kashmir its borders extending right upto Afghanistan!

The current international political scenario brings Sheikh Mohammed Abdullah's farsightedness into focus.It might seem to be a digression but it concerns the emergence of latent fossil fuel power of Central Asian countries, something that is the motive force behind international politics. Vladmir Putin made true his declared intention to be the president of Russian republic for the present term and may be more terms in future. Ordinarily there would be nothing surprising in this announcement. Nevertheless, the recent statements of his need to be taken note of very seriously for therein one can see a glimpse of what the future of Central Asia may look like. He has presented two planks on which his strategy for future will be resting: Euorussia and Eurasian union. The former is aimed at Europe, which is facing both a currency crisis as also energy crisis.

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Of greater interest to us in south Asia is the second plank as projected by Mr. Putin. The several statements he has made, reveal his keenness to subtly recreate a new avatar of the dead and defunct USSR. The removal of custom barriers and free trade flow between Russia, Belarus, and Kazakhstan is the model proposed to other former Soviet republics. Tajkistan and Kyrgstan may follow suit sooner than expected but few others have to get over old prejudices and newly acquired ideologies before they are cajoled into the alliance. With energy starving China desperate to be the next door neighbor of a mammoth energy rich tie up of Russia led nations and India keen to have a friendly and sympathetic neighbor in Afghanistan where the Americans have already dug in their heels, things do promise a very interesting spectacle for watchers of international politics in the years to come.

If only the borders of J&K State would in actual practice been extending from Aksai Chin in the east to the western most borders of Gilgat bordering Afghanistan, as is its due; that would be Greater Kashmir a power on its own, the dream of late Sheikh Mohammad Abdullah!

This can never be achieved by force of arms but only by following the path that Sheikh Sahib has repeatedly pointed out to all concerned, India, Pakistan and the people of Kashmir. The path pointed out by him is so simple yet made so complex.Sheikh Sahib's path for the deliverance of the people of the State lay in recreating the borders of Jammu and Kashmir State as existed before the Pakistani invasion of October 1947.(See Jammu and Kashmir state map,appendix-5)

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Nearly three decades after the demise of Sheikh Mohammed Abdullah the number of his followers and admirers may have dwindled in his own land. The new multi media generation that has replaced the populace of his era knows very little and comprehends even less the lack of opportunities and pangs of hunger that their fore-bearers had to live with. The new generation of Kashmiris can hardly visualize the life they or most of them would have had to lead. Working as a beggar labor under compulsion or filling their bellies with mulberry, wild berries or the watery broth of water chestnuts. A few luckier ones would have been able to get a bit of education had they the gumption of trekking long distances to poorly staffed and unfurnished schools in cold chilly weather. However we do not live in time machines, we can neither fast forward ahead of our times nor go backwards though our mental faculties can stretch themselves between both the directions.

All great men have had their critics and Sheikh Abdullah was no exception. The traditional critics of Sheikh Sahib fall into three categories: Those, who categorized him as an anti Muslim Congress sympathizer; those who tagged him as an unreliable communal minded Muslim and the most unkindly barbs of those who accused Sheikh of being another Machiavellian politician, nursing the dreams of his personal sultanate. Sheikh Sahib himself was well aware of these various shades of critics in his own lifetime and true to the proverb that a clean conscience laughs at false accusations, he referred to these allegations in his various speeches. Accused of being partial to JanSangh and being a communalist, he refuting these charges while addressing a congregation in Shahi Masjid, Srinagar, said, "Such accusations are nothing new to me, once I was called a Pakistani

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just because I am a Muslim, now I am being accused of associating myself with JanSanghis. How am I to respond to such an idiocy." " The Congress leadership fails to understand that I am not a commodity that can be purchased." Sheikh Sahib further said, "The Congress party is feeling sorry for having given me the powers over the state. I am not interested in the trappings of power. If I feel that power is becoming a hindrance to materialization of my aims, I will prefer to give up the power. The Congress bosses should well bear in mind that the movement we started in 1931 (Naya Kashmir) is not dead and will not be ever buried."

Hinting at wider implications, Sheikh Sahib said that the dismantlement of Plebiscite front was a party decision and not of the people. Despite countless such statements backed by actions, not long after his demise a new breed of Abdullah baiters has surfaced on the Kashmir scene.

Dr.A.Ahad writes in Genesis of Kashmiriyat: "The guest was no other than Dr.Farooq Abdullah, a flamboyant son of the lionized Sheikh, who though, born a rebel had died, not long ago, a blithering lackey, a most loyal sergeant of his lordship, leaving behind a roistering legacy not weighing beyond an instilled land reforms and menacing memories oscillating between love and hate syndrome."(Genesis of Kashmiriyat- an essay in "Kashmiriyat through the ages".)

Lifted up from a quagmire of shame and depravity this is the tribute paid by the kaum to Sheikh. It has probably escaped the notice of the critics that the "instilled land reforms" was a daring, matchless and unparalleled reform undertaken in any state of the subcontinent—Indo/Pak. It was a step taken by Sheikh

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Sahib in the face of severe opposition from the leaders in India. Besides sending silent shivers down the spines of feudal Pakistani rulers, the unprecedented event created a chasm between Sardar Patel and Nehru. A political development, that nearly brought the fledgling independent India to brink of a political upheaval but for the intervention of Gandhiji. Of course, there are few naïve enough to bite the proposition that Sheikh Sahib died a lackey of anybody. The man who had the guts to forego his ministry and spend more time behind the bars than outside of these would not need any authentication by a retired civil servant or an armchair politician about his moral strength, the conviction of his beliefs and his unbounded love for his own people. This is what drove him to write to Prime Minister Nehru, "In the interests of my country and my people, I am constrained to say a goodbye to a beautiful long personal friendship". The words of Goethe do justice to Sheikh whose boldness had "genius, power, and magic in it".

Sheikh Sahib's revolutionary activities confined to demands of Muslim interests from 1931 to 1938 were just the tip of iceberg. To crush his activities the Government tried several diplomatic but unsuccessful maneuvers. Besides having Moulvi Yusuf shah in their good books, the state Government enlisted the support of several leading Muslim personalities from outside the state too. The aim of all these actions was to create a cleavage and confusion in Muslim ranks by offers of monetary and other benefits. These efforts were largely, though not complete failures. A rift did occur in Muslim ranks but the preponderant majority remained loyal to Sheikh and his politics.

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The British, peeved with the Maharaja for his off the cuff remarks regarding the Indian dream of independence, were looking for an opportunity to assert their supremacy and cut the Maharaja down to size. The opportunity presented itself when the state police arrested some rabble-rousers fomenting communal trouble. Also lodged in the central jail was Sheikh Abdullah on charges of instigating the troublemakers. An enraged mob protesting the arrest of Sheikh Mohammed Abdullah attacked and set the jail on fire. Following the riots at the central jail in 1931, when about 20 men lost their lives, the British pressurized the Maharaja to bring in constitutional reforms.

Forced by the British, the Maharaja did appoint a commission headed by Bertrand J Glancy. One positive result of Sheikh's successful agitation was Maharaja's acceptance to consider the grievances and demands of Muslims, which resulted in successive appointments of three commissions of enquiry. Besides the complaints regarding excesses of police force, indiscriminate firing, desecration of religious places, unlawful occupation of lands and properties belonging to religious establishments; the demands put forth before the commissions also included rights of free speech and permission to form unions. One of the commissions, presented with a demand for a legislative council and Muslim representation in it, consequently established the Glancy commission promising a wider perspective.

Because of the 1931 agitation, the Maharajah appointed a Grievances Commission with an Englishman B.J. Glancy as President, which submitted its report in March 1932. Subsequently a Constitutional Reforms Conference also

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presided over by B.J. Glancy recommended the setting up of an elected Legislative Assembly (Praja Sabha). Consequently, the establishment of Praja Sabha took place in 1934 with 33 elected and 42 nominated members. Election was however conditional to separate electorates for Hindus and Muslims.

Women and illiterate men without sufficient property, or title, or annual income of less than Rupees four hundred did not have the right to vote. Roughly, less than 10% (according to Justice Anand only 3%) of the population thereby qualified for enfranchisement.

The formation of these commissions enhanced the bargaining powers of Sheikh Mohammad Abdullah and his colleagues, resulting in their putting forth one demand after another. The period from 1931 to 1935 saw the political might of Kashmiri movement gaining so much ground and so quickly, that various political movements taking place in rest of the subcontinent were forced to take notice of happenings in Kashmir.

It dawned on Kashmiri leaders that working in seclusion, isolated from the political movements of the subcontinent would be counter productive and self-limiting. By now, the Kashmiri movement had shed its limited concerns about jobs and had assumed a political role. With broadening horizons rose the fundamental question whether to remain a party limited to Muslim leadership or broaden the political base by including people of other religious groups too. While Kashmiri leadership was mulling over this basic policy matter, Muslim League in India had begun actively demanding a separate state for Muslims. Following several meetings with the Muslim League

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leadership, the Kashmiri Muslim leadership had become suspicious of the intentions of Muslim league leaders who had made it obvious that they did not favor the movement of Kashmiri Muslims against the Dogra autocratic government based on extreme form of feudalism.

The real quantum jump in Kashmir politics came in 1938-39, when Sheikh Abdullah discarded a narrow Muslim parochial outlook and formed the National Conference, inviting all the communities to its membership. This was a crucial step towards the future political developments of Kashmir politics. Formation of the Muslim Conference took place in 1932 and was well established in 1934 with Sheikh Abdullah as its President. There were internal squabbles in the top hierarchy of this organization. Chaudhry Ghulam Abbas also projected himself as the chief spokesperson and Moulvi Yusuf Shah (nicknamed bakra the goat, by Sheikh Abdullah's followers) used his formidable following in certain pockets of Srinagar to show off his ascendancy.

Sheikh Sahib introduced a resolution in the working committee of the Muslim Conference for changing its name to National Conference on June 24th.1938. People invited from all communities joined the struggle against the autocratic rule of the Maharaja. Meanwhile Sheikh Sahib along with his liberal progressive friends, many of whom were non Muslims like Kashyap Bandhu, Jia Lal Kilam, Pundit Prem Nath Bazaz and Sardar Budh Singh drafted the National Demands the forerunner of the famous Naya Kashmir Manifesto (which was a charter of demands for granting a democratic constitution committed to the welfare of the people of Kashmir). Around this time, the liberal young Pundit leadership had gained voice after

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having successfully got rid of the old ultra conservative Dharam Sabha and formation of a new progressive Pundit group named Yuva Sabha.

In 1938, following the conversion of Muslim conference into National conference, Muslim league's opposition to Sheikh became more vehement even alleging it to be a conspiracy against the Muslims. A high-pitched hate campaign was unleashed against Sheikh Sahib even attacking his personality with malicious propaganda.

The transformation of Muslim conference into National conference took place at a time when the cry for division of the country on basis of religion by communal forces, got increasingly stronger and vociferous. Conversely, the thought process evolving in Kashmir was secular in character though under a communal name of Muslim conference.

There have been umpteen numbers of theories as to what triggered the change in Sheikh Mohammed Abdullah's outlook from a narrow Muslim communal vision to a sweeping broad band of secular ideals. Was it the bickering for the top post in the Muslim Conference, a nonchalant attitude shown by Mr. Jinnah and his Muslim League towards Sheikh, or was it the charisma of Nehru's secular and socialistic ideals, besides Sheikh's own understanding and feeling of the zeitgeist?

Six hundred year old Kashmiri ethos had seeped into Kashmiri political thought, it was a way of life based on traditional unity amongst the various religious groups. After having buried the numberless horrific episodes of brutal violence deep inside its psyche, the spiritual leaders of Kashmir broke new grounds to

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create a tolerant, humanistic society. The tradition of religious tolerance and brotherhood was molded into a natural cultural pattern by the tireless efforts of Sheikh Noor u dinNurani (Nund Rishi) when Islam in Kashmir was hardly half a century old and undergoing a cultural revolution. On one hand, the Hindu society having lost the royal patronage was crumbling under its own weight of caste, ritual, and social injustice and on the other hand, Muslim culture was increasingly making ever-new inroads supported by the new Muslim rulers.

Sheikh Nur ul Alam created a confluence for both the religious thoughts. Other Rishis like his senior, Lal Ded,Lali Shouri to many, and several others, supplemented Sheikh Nur ul Alam's efforts, leaving a strong and long lasting impression on the cultural heritage of Kashmir.

Kashmiri Sultans like Sultan Zain ul Abdin popularly known as Baddh ShahPaadshah and the three generations of Mughal rulers from Akbar to Shah Jehan, gave a further impetus to this cultural heritage of religious tolerance. This cultural ethos particular to Kashmiri society came to be termed in its Anglicized form as Kashmiryat in recent years after the use of English became wide spread. However, since times immemorial, Kashmiris have been expressing in their own idiom the peculiarity and singular nature of their socio political ethos. To the surprise and dismay of many, the public expressions of several modern day scholars both of Kashmiri origin and non Kashmiri residents of Kashmir have been publicly questioning the logic and validity of the expression Kashmiriyat !

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With this cultural background the sixth session of Kashmir Muslim conference in 1938,could not but face the fact that not only were Kashmiri Muslims victims of exploitation and resultant back breaking poverty but the tiny minority of Pundits also suffered the same fate as also did the Buddhists who formed the very bottom layer of the economic strata. In Jammu, addressing Muslim conference session Sheikh Sahib on 25th, 26th, and 27th, March 1938, demanded Self-rule.

In his presidential speech, he said, "We demand the basic human rights without any external or internal interference. This is how a responsible Government is defined and this is what our aim is". "We demand independence of action to manage our internal affairs. No external interference is acceptable regarding the basic human rights. These rights constitute a responsible government. It is our aim to achieve these rights and we have dedicated our lives towards the same. All those who have to suffer under the present governance should consider it a matter of prime importance to achieve this aim. The people suffering are not Muslims alone, not only the Sikhs and Buddhists, and all the down trodden and the untouchables of the state. Some Muslims are under the delusion that they alone are the ones to suffer while the 800000 non-Muslims are enjoying a life of comparative ease. The fact remains that only a few thousand of non-Muslims lead comfortable lives, the rest lead lives as wretched as Muslims lead. Our demand for a new system includes all, 100% of the population. With this in view I desire to carry the 20% Hindus, Buddhists, and Sikhs along as partners in the struggle. For building sound foundations of a democratic system, it is

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imperative to have the participation of Non Muslims in every political and economic activity. The dividing lines between the Muslims and non- Muslims stand demolished henceforth.

...Besides the participation of all the groups, we also demand the right of vote for every adult, so that a system of adult franchise can be established in the state." (Translation of the speech from Urdu, Refer: Tarikh hurriyat Kashmir.)

This historic declaration of Sheikh Sahib was in relevance with the current state of affairs of the subcontinent, the future prospects and in tune with the centuries old ethos of Kashmiryat. This initiative of Sheikh led to inter-action between the leaders of the two communities; a new united front formed for purposes of highlighting economic and political problems concerning the Kashmiris as a whole came into existence. The National Demand issued in August 1938 was signed among others by Pandit Jia Lal Kilam, Pandit Sham Lal Saraf and Sardar Budh Singh.

Kashmiri Hindus joined the ranks of Muslims when the Muslims thought it expedient to part ways with sectarian politics for forging a new unity among all sections of the Kashmiris under the banner of Sheikh Abdullah's Jammu,Kashmir National conference. The times dictated the need of a strong broad based organization that could withstand the tribulations of times to come.

The historic decision gave a clear direction to the people for facing the uncertain future. Any wrong decision by the leaders would have resulted in the state thrown into a state of confusion and chaos at that juncture. The subsequent events that took

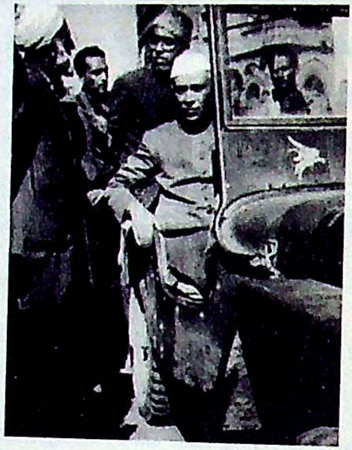
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place in the subcontinent vindicated the foresight of the leaders who took this historic decision. Some people who opposed this momentous decision and took a contradictory stand could not survive in Kashmir politics as the people rejected them lock stock and barrel. The people who wished to preserve and present a pure Islamic front were incompatible with the Kashmiri ethos as their statements and stances lacked sincerity.

Post 1938 decision of Sheikh Sahib, the national movement gained an unprecedented momentum, smashing all the opposing communal ideologies, and rendering them absolutely redundant. The enthusiastic response by the masses to a new political programme prodded on the leadership to higher goals and they shortly presented the revolutionary "Naya Kashmir" programme to the rulers followed by the chilling forthright demand of "Quit Kashmir".

In 1944 National conference adopted Naya Kashmir as its party manifesto that called for a parliamentary system of democracy in the state, social, economic reforms, and an impartial independent judiciary. The initial draft was in English but Moulvi Mohammed Saied Masoodi translated it in Urdu so that the general population could read it, as Urdu was the State language. The programme of Naya Kashmir is notable for its humanistic view of development. Remarkably advanced was its view particularly on the position of women as is reflected in the provisions regarding position of women in society.

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CHARTER OF WOMENS RIGHTS

The All Jammu and Kashmir National Conference is committed to fight for the rightful place and status of women in society. The National Conference is of the view that men and women must collaborate with each other in shouldering the weighty responsibility of nation building. With this in view The National Conference takes on itself the grant of following rights to the women of the State:

1-Universal suffrage for women above the age of 18 years.

2- The right to fight elections for membership in all institutions based on adult vote.

3- The right to have all matters concerning women decided by elected organs of the State, to be adopted after due consultation with the representatives of the women.

4- The right to employment in all departments of the State.

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It is interesting that many important Congress leaders including Jawaharlal Nehru and later on Indira Gandhi expressed support for "Naya Kashmir" while the Muslim League took no notice of it.

Quit Kashmir!

Deriving inspiration from the Quit India movement launched by Gandhi ji a few years earlier in 1942, Sheikh Sahib launched his "quit Kashmir" movement. The movement was launched by National conference on 10 May 1946. Sheikh Sahib along with many of his supporters was arrested, Bakhshi and Sadiq escaped to Lahore while Mohiud din Qara went underground to guide the movement from within Kashmir. It coincided with the plans underway for partition of the Indian subcontinent. The political views of Muslim League and National Conference were quite contrary to each other. National conference did secure the support of all such parties of India that understood and appreciated the economic and secular philosophy of the National Conference. However, the moral and material support lent by the Congress party to National Conference was outstanding and unmatched. On the other hand, Muslim League leadership branded the National Conference movement as a movement of rogues and ruffians.

Mr. Jinnah and his Muslim league were openly against this movement. A leader of Pakistan administered Kashmir, henceforth referred as PAK or Azad Kashmir, Ch.Ammaan Ullah has written.

"Instead of befriending Sheikh Abdullah, his movement was branded a Goonda movement which was a stupid act of Muslim League leaders. In glaring contrast to the Muslim league stand

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on the Kashmiri movement of Quit Kashmir, Congress leaders, in particular, Pundit Nehru gave full support to it. When a legal battle was underway on the issue of Sheikh Sahib's release from prison, Congress party made arrangements for the legal defense of Sheikh Sahib and kept the morale of the people of Kashmir high."

Addressing a massive rally, Sheikh Sahib said on 17th. May: "The tyranny of the Dogras has lacerated our souls. The Kashmiris are the most handsome people, yet the most wretched looking. It is time for action. To end your poverty, you must fight slavery and enter the field of Jehad as soldiers. The slogan of our struggle is not only for our State but also for the whole of India. India is fighting against Imperialism, the slogan given on the banks of River Ravi: 'Quit India.' The British gained hold of India by the force of arms and by treachery. The rulers of the Indian States, who possess one-fourth of India, have always played traitors to the cause of Indian freedom. The demand that the Princely Order should quit is a logical extension of the policy of 'Quit India.' When the Indian freedom movement demands the complete withdrawal of British power, logically enough the stooges of British Imperialism also should go and restore sovereignty to its real owners - the people. Those Hindus, who think along with Mr. R.C. Kak that the Dogra rule should remain; should never forget, that we in Kashmir without distinction of religion are a bought-up race and treated as such. Handcuffs jingle but they do not scare us. God drives our faith and us in victory. The voice of truth will prevail. Prophets have spoken for the truth, which has always triumphed finally. Sovereignty is not the birthright of a ruler. Every man, woman and child will shout "Quit Kashmir".

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Arrests of Sheikh and Nehru.

Sheikh Sahib was arrested along with his colleagues On 20 May 1946. Pundit ji arranged for defense of Sheikh Sahib and himself proceeded towards Kashmir to support Sheikh. His entry banned into the state, the Maharaja had Pundit ji arrested while the former was trying to enter the state at Kohala. Later the Congress High command persuaded Pt.Nehru to return to Delhi. Nevertheless, a permanent damage was done and Nehru never forgave the Maharaja for this act. Sheikh Sahib's release followed soon afterwards. Ironically if the World War 2 triggered the success of Quit India movement, the thoughtless tribal aggression against Kashmir by Pakistan assured success of Quit Kashmir movement though unwittingly !

Resenting Pt.Nehru's strong reaction to Sheikh Sahib's arrest, the pro Pakistan, Muslim Conference leader Mir Waiz Moulvi Yusuf Shah in a statement issued on 25th.Sept 1946 warned the Dogra Government "not to get terrified of Congress and strike any sort of deal with National conference fascists".

Statement of Mirwaiz Moulvi Yusuf Shah on 25 November 1946: "We do not say that Kashmir Government should ban the entry of any deputation to Kashmir, but I warn that if it gets terrified at the might of the Congress and strikes an unholy alliance with the National Conference fascists, it will have to face the terrific opposition of the Muslims. Any such sinister alliance is bound to be smashed to pieces. The Congress has obviously taken into its head to enslave whole of Muslim India. I can say it without any fear of contradiction that sending of a delegation to Kashmir is a part of a sinister game."

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Far more interesting is the letter that reveals the intent of Muslim League leaders regarding Kashmir. The letter dated May 10, 1947 from Ch.Hamid Ullah Khan to Maharaja Hari Singh threatened, "If Kashmir has to keep itself aloof from carnage and bloodshed, it should loose no time in adopting a strong and bold policy. His Highness the Maharaja Bahadur should declare Kashmir independent immediately.... His Highness will receive the cooperation of Muslims in carrying out his policies. The Muslims will welcome the Maharaja Bahadur as the first constitutional ruler of independent and democratic Kashmir". Ch. Hamid Ullah Khan was the president of Mr. Jinnah backed Muslim Conference.

The division of India was a foregone conclusion now, dividing the politics of the country into two main camps, one clinging to communal and sectarian outlook and the other to a broader secular nationalistic viewpoint. The Kashmir centric politics of National conference was wedded to agrarian reforms. It substantially differed from both these outlooks but owing to its secular outlook it drew maximum support from the secular Indian National congress at the cost of severe opposition from All India Muslim League. From 1938 to 1947, the mutual relations of Kashmir National conference and Indian National congress had struck strong deep roots owing to ideological affinity.

It will be a blunder for historians to believe that polarization defined as two-nation theory was the outcome of a unified opinion of Hindus and Muslims of the Indian sub continent. The mass movement for freedom from British colonizers was never a movement with a divided Muslim and Hindu struggle for independence. The communal holocaust that accompanied the

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vivisection of the country had not been imagined in the wildest dreams of the people or the myopic leaders who led them to the slaughter grounds.

Mr. Jinnah on the slippery grounds of Kashmir.

Disturbed by the reports of Sheikh's sway over the Kashmiri masses and its consequences on the Muslim league's intentions for grabbing Kashmir, Mr. Jinnah visited J&K state in the summer of 1944.



Mr.Mohammad Ali Jinnah

The founder of Pakistan was one of the towering personalities of the Indian political scenario. Though known for his intellect and wisdom, his handling of Kashmir and underestimation of the Kashmiri psyche makes one wonder how such a sharp mind blundered all along on the Kashmir issue. His comments about Sheikh's National Conference, while addressing the annual session of the Muslim Conference in Srinagar, as "a band of gangsters" drove the wedge deeper and wider.

The attempts of Moulvi Yusuf Shah to project himself as the chief spokesperson of Kashmiri Muslims invited snub by Mr. Jinnah. He publicly asked Moulvi Yusuf Shah to be aloof from politics, as

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Kashmir needed a Leader not a mullah. His choice was obviously Chaudhry Ghulam Abbas, a non- Kashmiri speaking Muslim whom Mr. Jinnah tried to foist upon the Kashmiri Muslims. Mr. Jinnah thereby made a monumental blunder of far reaching consequences in assessing the Kashmiri Muslim mind, where the ethos of Kashmiriyat plays a very strong though silent and subtle role, and thus he paid a heavy price for it by loss of influence in the valley.

Speaking to a public rally organized by Muslim Conference in Pratap Park showering praises on the Muslim Conference, he appealed Muslims to join the Muslim conference, arguing that all the Muslims had one Kalima, one God and hence one platform. While addressing the annual session of Muslim conference he derisively labeled Sheikh Abdullah's National conference as a band of Gangsters. Mr. Jinnah's clarion call was "Oh ye Muslims, Our Allah is one, our Prophet (SAW) is one and our Quran is one, therefore, our voice and PARTY MUST BE ONE". In the Muslim Conference annual session at Muslim Park, Jamia Masjid, he concluded by saying: "I appeal to the Muslims of Kashmir to be guided by their unquestioned leader Chaudhri Ghulam Abbas, who is now under detention and in his absence by Chaudhri Hamidullah Khan, who has been appointed by him as the acting President of the Muslim Conference." This put the final nail in the political coffin of Kashmiri leader Moulvi Yusuf Shah.

Mr. Jinnah criticized even the Quit Kashmir movement launched by Sheikh Sahib for liberation of Kashmiris from an autocratic ruler as a movement launched by some malcontents to create "disorderly conditions in the state". In an effort to build up the

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image of his protégé Ch.Abbas, Mr.Jinnah did not spare even Moulvi Yusuf Shah whom he called a rotten egg. Reportedly while addressing Moulvi Sahib, he said, "I advise you to remain aloof from politics. In Kashmir, we want a leader and not a Mullah."

The main and the last visit of Mr. Jinnah to the State of Jammu and Kashmir took place in 1944. During this visit, he attended a reception by the National Conference headed by Sheikh Abdullah. As per Pakistani presumption, Sheikh Abdullah had thought that with the help of Dogra administration he would suppress the pro-Muslim League elements in the State and assure Mr. Jinnah that the Kashmiris, Hindus as well as Muslims, were believers in One Nation Theory of the Congress and of National Conference. A known nationalist Jialal Kilam presented the address of welcome to Mr. Jinnah, who thanked the National Conference leadership for the right royal reception given to him but at the same time said that it was not a reception for his person, but to the All India Muslim League, the party of ten crore(hundred million) Muslims of India of which he was President. This annoyed Mr. Kilam so much that he left the stage in distress.

In the Muslim Conference, annual session at Muslim Park, Jamia Masjid, Mr. Jinnah was more explicit. He asked the Muslims of Kashmir to beware of the trap of secularism and nationalism of the Congress brand. Decades later writing about the attitude of Mr. Jinnah towards him, Sheikh Sahib in his book, " Aatish Chinaar" mentions the hostility of Jinnah towards him and adds, that Mr. Jinnah was intoxicated with power and thought it below his dignity to talk to a poor nation that lacked

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any resources. When his assessments proved wrong, he panicked but by then he had missed the bus. According to the autobiography of Sheikh Abdullah, when a National Conference activist, Ali Mohammad Tariq, asked Mr. Jinnah soon after the partition of the Indian continent whether the people of Kashmir would decide the future of Kashmir, he was stunned by Jinnah's riposte: "Let the people go to hell".

The trouncing of Khan Brothers in North West frontier province had probably made Mr. Jinnah complacent about the only other Muslim dominated area, Kashmir that had defied his two-nation theory. These factors complimented by the nonchalant attitude of Kashmiri masses to Muslim league's two-nation theory posed a frightening spectacle to Muslim league leadership to the extent that Pakistani rulers were scared to opt for a plebiscite in Kashmir and planned a military solution to usurp Kashmir.

On 11th. July1947, Mr. Jinnah speaking his heart out at a reception in Karachi said, "The second question that is engaging the attention of the Muslims of Kashmir is whether Kashmir is going to join the Constituent Assembly of Pakistan. I have already made it clear more than once that, the Indian States are free to join either the Pakistan Constituent Assembly or the Hindustan Constituent Assembly or remain independent. I have no doubt that the Maharaja and the Kashmir government will give their attention and consideration to this matter and realize the interests not only of the ruler but also of his people. We have made it clear that we are not going to coerce, intimidate, or put any pressure on any State making its choice. However, those states who wish to join the Pakistan Constituent Assembly will find us ready and willing to negotiate with them an agreement for

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the mutual advantage of both. Those who wish to declare their complete independence may do so if beneficial for both, and secure mutual and reciprocal interest."

Maharaja plays difficult to get.

At the time of partition of India in 1947, Jammu & Kashmir was one of some 560 Princely States, which were not part of the territories under British rule but owed suzerainty to the British Crown. The rulers of these states had the choice to join either India or Pakistan, or to remain independent of their own free will.

Lord Mountbatten, the Viceroy of India, visited Kashmir on 18 June 1947, and stayed there for four days. He was unable to have a proper discussion with the Maharaja. The Maharaja avoided meeting him in private. Maharaja was unwilling to talk about the fate of his fiefdom and the serfs thereof and obviously his reluctance to be influenced. Strangely throughout the Viceroy's stay, Maharaja was either unwell or if forced by circumstances to chat with the Viceroy, he would talk trivialities and dodge the serious question of decision about his state.

Considered the main author of anti Sheikh and anti Nehru policies of the Dogra regime, Prime Minister R.C.Kak is held responsible for the ill will generated towards the Maharaja by most of the the political analysts. Much before arresting the Sheikh, he had even antagonized the Pundit community, when he tried to placate the Dogras of Jammu and the Muslims of Kashmir at the cost of Kashmiri Pundits by preferential appointments to state services. This, not very subtle move on the part of RC Kak carried little conviction with the Dogras as also the Muslims. However, it goaded the Kashmiri Pundits to launch

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an agitation named Roti Movement, actively led by J.L. Kilam (Justice Kilam). This agitation of Pundits was successful in that an unwilling Prime Minister Kak agreed to many of its demands.

Apparently, the Maharaja lived in a dream world of his own, unaware and obviously unmindful of the revolutionary tornado that had swept the entire subcontinent. Apathetic of associating the people with his administration, he let Sheikh Abdullah and other top leaders be behind bars, vainly believing that the British empire of his fantasy could protect him and his vested interests. True to the traditions of princely India that had relied on courtiers to run the administration, the Maharaja employed a man of little education and even lesser vision, Ram Chander Kak as his prime minister. Kak made the Maharaja adopt an extremely ambivalent attitude on the issue of accession, keeping India at an arms length.

In his efforts Kak was aided by the Maharajas' court astrologers who reinforced the illusion of Maharaja that he was destined to be Sovereign ruler of a Greater Kashmir empire. It is alleged by some political analysts that Prime Minister, R.C. Kak, had assured Jinnah of his support for achieving the latter's' goal. The Maharaja ultimately sensed the link-up between Jinnah and Kak and he cleverly and politely prevented Jinnah from coming to Srinagar much to R.C. Kak's dismay. Pakistan then resorted to economic blackmail. It imposed economic blockade and closed all the routes to Kashmir disrupting the postal and telecommunications lines besides movement of essential commodities to the State.

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Having stopped the supply of essential commodities, Pakistan violated the Standstill agreement, which it had arrived at with R.C. Kak. As the pro Pak leanings of Kak and the resultant catastrophe became unbearable, the Maharaja immediately sacked him and appointed Gen. Janak Singh as the interim Prime Minister. It is strange that the Dogra King, whose reign was far from a popular one amongst his subjects, did not accede to India immediately, but presumably wished to stay independent for purely selfish reasons, out of his concern to save the dynastic rule he had inherited from his predecessors. He was naïve enough to rely on the message he had received from Foreign Secretary of Pakistan (through R.C.Kak) which stated:

To Prime Minister of Jammu and Kashmir, 15th August, 1947: Your telegram of the 12th. The Government of Pakistan agrees to have a Standstill Agreement of Jammu and Kashmir for the continuance of the existing arrangements pending settlement of details and formal execution of fresh agreements.

With the emergence of Pakistan as a separate nation, Sheikh Mohammed Abdullah made a pragmatic assessment of the changed situation and appealed to both the newly freed countries of India and Pakistan to allow Kashmiris time to decide on the accession issue till after the struggle of Kashmiris against the autocratic government was won.

Following the failure of Lord Mountbatten's efforts to convince the Maharaja for an early decision, Gandhiji visited Srinagar. He appeared in public gatherings while observing his ritualistic Monvrat, (total silence). The Times, London, October 25. 1947 wrote about Gandhi's visit to Kashmir: "What exactly did

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Gandhi tell the Maharaja? We will never know, but the chain of events that followed his visit is an indicator of what must have happened. After his visit, the Prime Minister of Kashmir, Ram Chandar Kak, who had no inclination towards India, was replaced by Janak Singh and then by the Indian loyalist, Mehr Chand Mahajan. Dismissal of the British officers in the Kashmir Army and Police followed. This included the Inspector General of Police and the Chief of the General Staff. Orders for construction of a bridge over the Ravi River, near Pathankot, to allow connectivity between India and Jammu and Kashmir were issued. The road was constructed between Jammu and Kathua and a telegraph line between Jammu and the valley was improved. This was all possible because of assistance from India."



(R.C.KAK)



(Maharaja Hari Singh)

Kashmiri leaders disgraced in Pakistan.

The Working Committee of National Conference passively divided on the issue of accession, sensing which Sheikh Sahib sent a delegation of Kashmir leaders that included Kh.Ghulam Mohd.Sadiq, Bakhshi Ghulam Mohammad, and Chaudhry Mohd.Shafi to discuss the issue, and to assess the thinking of Pakistani leadership.

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Sheikh Sahib believed that the decision of accession was in the power of Kashmiris alone, and he refused to accept the authority of an autocratic State in this regard. However, he was keen to keep windows for dialogue open with the Muslim League leadership in Pakistan. It also entailed clearing the cobwebs of misunderstanding in Pakistan political circles to address which he dispatched his lieutenants to Pakistan ostensibly with the mission of conveying to Mr. Jinnah that the options for accession were open and subject to the freewill of people of Kashmir.

To their utter dismay, the top politicians of Pakistan cold shouldered the emissaries of the Sheikh. Nevertheless, the message of Sheikh Sahib was conveyed when the Kashmiri emissaries held inconclusive discussions with Feroz Khan Noon, Mian Mamtaz Daulatna and Sardar Abdur Rab Nishtar, a second tier leadership of the Muslim League in Pakistan. The Kashmiri delegation gathered in Pakistan that the Muslim League leadership did not lend any credence to National Conference. Nor did they accept it as the authentic voice of Kashmir and if at all it recognized any organization, it was only Muslim Conference of Kashmir.

The arrogant attitude coupled with a low esteem for Kashmiris that the delegates from Kashmir experienced, is evident by reading the article of a Pakistani leader himself. Amman Allah of Pakistan administered Kashmir(PAK) wrote about this visit of Kashmiri leaders to Pakistan baring all that had happened, about which none of the Kashmiri delegates or their leader ever uttered a word:

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"The three Kashmir leaders were not even allowed to meet the Qaid Azam (Mr. Jinnah). Some Pakistani leaders in their private conversations went to the extent of referring to the state of Kashmir as their "bearer cheque" which they could cash anytime. Ch. Mohammed Shafi was assaulted in Lahore and some Pakistani papers even demanded the arrest of the Kashmiri delegation. Instead of mending their fences with Sheikh Sahib the state controlled Pakistani press unleashed a vitreous campaign against Sheikh Sahib's person, even portraying him in cartoons as an ass or a dog. This highly undiplomatic and uncouth behavior by Pakistanis only helped to push Sheikh Sahib further into the welcoming embrace of India. It is further testimony to Sheikh Sahib's far sightedness and absence of prejudice that despite such a shabby treatment meted out to him by Pakistan, he insisted on including the clause of right of self determination while signing the treaty of accession with India."

What Amman Ullah convienently forgot to add further- it also proves the magnanimity and sincerity of Pt.Nehru who consented to the inclusion of this clause in the instrument of accession.

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Chapter - 3

The tribal invasion, signing of accession,1st Indo Pak war, glimpses of military history.

If world war-2 led to freedom of India,the 1947 tribal invasion by Pakistan led to Kashmir's independence from the autocratic rule.

By end of August 1947, the Pakistani leadership was convinced that Kashmiris would not like to accede to them. Unmindful of the majority Kashmiri opinion they launched a barbaric aggression of armed tribal invaders reinforced with army regulars to guide and command them against Kashmir.

The Maharaja's army was decimated in no time by the savage tribal invaders who were advancing from Muzaffarabad to Uri.They reached Baramulla ,the outskirts of Capital Srinagar where they let loose a nightmarish reign of rape, arson and massacre. The Maharaja directed his Army Chief, Brigadier Rajinder Singh, to protect the state until his last breath. While in Srinagar the Brigadier received a message that Muzaffarabad was under a major attack and the invaders were marching towards Srinagar.

At that time even, the reserve troops were not anywhere nearby. All he could succeed in was to organize a small group of 150/200 soldiers and civilians. However, it was necessary to save the city of Srinagar and the only way of doing this was to stop the Pakistan sponsored tribal invaders on the Baramulla road. Brigadier Rajinder Singh decided to launch an attack from Dhumel, 112 kms from Srinagar. But Dhumel was already in the

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enemy hands and they were marching onwards. The enemy took position at Garhi, 16 kms inside the state. The enemy tribal troops stopped the company of soldiers of Rajinder Singh. Despite reverses, Rajinder Singh stood his ground for sometime but when the invaders attempted to surround the soldiers of Rajinder Singh, the Dogra troops managed to escape out of the siege and decided to dig themselves in Baramulla for a last ditch effort to save Srinagar.

This retreat encouraged the enemy troops who reached Uri. Regrouping his troops the Brigadier tried to attack and dislodge the enemy from Uri. However, here he faced the full might of the enemy and he did what best he could under the circumstances, which was to stop the invaders as long as he could and delay their march to Srinagar as long as possible. The invaders had launched a three-pronged attack, which caused great loss to the Kashmiri army. First the state army retreated from Moharra and then from Rampat (Jhelum Valley road).



Brig.Rajinder Singh ji

...lived like a soldier,died like a soldier.

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Here the Brigadier fought a bitter battle with the enemy for eleven hours. Nevertheless, the Brigadier had to pay a heavy cost. Sensing the end, he ordered the remaining troops to retreat. When the troops, while fighting, were searching for defensive position, Rajinder Singh was single-handed firing continuously to provide covering fire to the rear company. Shot in his right arm and right leg in the fierce battle that ensued but failing to silence his gun, he was killed mercilessly by the enemy that surrounded him.

The Kashmiri historian Bamzai has mentioned that in this heroic battle even the cooks, mess bearers, and orderlies took up the arms obeying the commands of their fearless Brigadier, to perform a great feat in the world military history.

The Pakistan version of the tribal attack on Kashmir is written by Major (retd) Agha Humayun Kabir in his book, "The war of lost opportunities" as under: The Muslim League's high command had tasked Mian Iftikhar ud Din, Minister for Refugees to prepare a plan aimed at ensuring that the Muslim majority state of Kashmir should join Pakistan. Brigadier Akbar Khan then serving in the Pakistani GHQ wrote an appreciation 'armed revolt inside Kashmir 'on Mian Iftikhar ud Din's request. It appears that Mr. Jinnah had tasked Liaquat Ali Khan to handle the Kashmir business.

Liaquat in turn earmarked Mian Iftikhar ud Din. Iftikhar requested Sardar Shaukat Hayat and Brigadier Akbar Khan for advice. A conference presided by Liaquat was held at Lahore in September 1947.

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Brigadier Akbar Khan was a Burma DSO who was Director of the newly formed Weapon and Equipment Directorate at the Pakistan army's General Headquarters.He was tasked unofficially to support the tribal raiders logistically, using all resources at his disposal in GHQ as Director Weapons and Equipment. The British officers who were controlling the Pakistan Army were not in the know of as to what was happening!

The tribesmen were brought from the North West Frontier Province tribal areas of Pakistan, in trucks requisitioned by Government of Pakistan and concentrated in Batrasi northeast of Abbottabad. The invasion was to commence from 20th October 1947; the main northern tribal force invading Kashmir under Khurshid Anwar on Abbottabad - Garhi Habibullah - Muzaffarabad - Srinagar axis with a smaller auxiliary force advancing along Murree - Kohala - Muzaffarabad axis. After capturing Domel the last Dogra held locality on the main road to Srinagar on 23 October 1947,there was practically nothing between Muzaffarabad and Srinagar to stop the tribesmen.

Brigadier Rajinder Singh the chief of staff of the Kashmir State Forces was a brave man. He rushed to Uri 63 miles west of Srinagar on the main Muzaffarabad-Srinagar road with about 200 soldiers and blew a bridge spanning a nullah (water course smaller than a river) on the main road on 23 October 1947. This delayed the advance of the tribesmen and other volunteers, who now numbered about 5,000, by one day. Brigadier Rajinder Singh who believed in leading from the front was killed in action on 24 October. The tribesmens' sole motive was not liberation of Kashmir, and they started looting the town.

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Srinagar was just a few hours lorry drive away from Baramula. According to Sardar Shaukat Hayat who was one of the Muslim League men tasked to oversee the invasion.

"The issue was Rs 300,000 found in the Kashmir State Treasury. Khurshid Anwar foolishly argued that this money belonged to Pakistan Government while the tribesmen correctly asserted that it belonged to them as war booty. Once this issue was settled in their favour, the tribesmen who had no concept of time, insisted that they would not move before the three day Eid festival was over".

Sardar Shaukat Hyat Khan a prominent Muslim League leader of that time and a minister of the Pakistan Government while admitting the atrocities committed by Pakistani invaders writes in his book, "The nation that lost its soul":

"For three days they did not move (after invading the important town of Baramulla). They started looting locals and cutting lockets and earrings of Nuns who were running a Convent at Baramulla... Instead of going forward and taking over Srinagar Airport, these Pathans started looting bazaars and wasted precious time. By then Indian reinforcement arrived by air into Srinagar... We lost Kashmir through our own blunders and bungling." "Pakistan lost Kashmir not because of Sheikh Abdullah, but because of follies and shortsightedness of Pakistani leaders. After losing Kashmir, they had to find a scapegoat and Sheikh Abdullah was the best candidate for this, and they blamed him."

Margaret Bourke White,an American photojournalist, in her book, "Halfway to Freedom" describes the invasion of Kashmir in these words, "Their buses and trucks, loaded with booty, arrived

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every other day and took more Pathans(the tribals) from the adjoining areas of Pakistan to Kashmir. Ostensibly, they went to liberate their Kashmiri Muslim brothers, but their primary objective was riot and loot. In this they made no distinction between Hindus, Sikhs, and Muslims.The raiders advanced into Baramulla, the biggest commercial center of the region with a population then of 11,000, until they were only an hour away from Srinagar. For the next three days, they were engaged in massive plunder, rioting, and rape. Sparing no one, even members of the St. Joseph's Mission Hospital were brutally massacred."

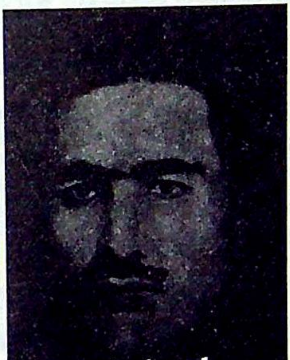
Professor Ayesha Jalal has written in her book, "The State of Martial Law- the Origins of Pakistan's Political Economy of Defense (1990)".

"One has perforce to conclude that the government of Pakistan with the connivance of the Frontier ministry was actively promoting the sentiments that had encouraged the tribesmen to invade Kashmir. Admittedly, the Pakistani leadership refrained from officially committing the army in Kashmir. However, they did so because of the severe shortage of arms and ammunition, not because this was the preferred course of action. If they had been in a position to do so, the Muslim League leaders, with Jinnah's blessings, would have thrown in the army behind the tribal effort. The commander-in-chief of the Azad forces was a Pakistani army officer, colonel Mohammad Akbar, who went under the pseudonym of 'General Tariq' [legendary conqueror of Spain in the 8th century] and was known to be in close contact with Qayum Khan and through him with Jinnah and the League leaders in Karachi".

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On hearing the news about the death of his army chief Brig.Rajinder Singh on 24th Oct.1947, the Maharaja made up his mind to escape to the safety of Jammu on 27th.Oct 1947,leaving Sheikh Abdullah to face the brunt of the barbarous enemy barely a few kilometers away.

The state administration had just vanished as most of the administrative officials had escaped or gone into hiding like rats abandoning a sinking ship. Rising to the occasion like a phoenix from ashes, Sheikh Abdullah took command of the situation. Creating a rag tag army without weapons he successfully delayed the advance of the invaders into the city, a tactic that resulted in the martyrdom of Shaheed Maqbool Sherwani.


Shaheed Maqbool Sherwani.

One Major Mallick, the CO of the invaders was made to believe by Sherwani that an ambush by the Indian Army, waited for his brigand army to cross Jhelum. This caused a delay very vital to the defense of Srinagar and its airport. The Pakistani invaders getting wise to his game plan, mercilessly tortured Sherwani to death.Sherwani lives in the hearts of Kashmiri people and his martyrdom did not go waste. Margret Bourke White had this to report about Maqbool Sherwani:

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"He - Mir Maqbool Sherwani must have been a Robin hood type of character, from the stories the town's people told me, championing peasants who could not pay their exorbitant taxes, pitching into the police when he found them beating some luckless victim... When the tribesmen invaded Kashmir and terrorized the countryside,Sherwani who knew every foot path in the valley, began working behind the lines, keeping up morale of the besieged villagers, urging them to resist and stick together, regardless of whether they were Muslims ,Sikhs or Hindus, assuring them the help from Indian army and people's militia was on way. Three times by skillfully planted rumors, he decoyed bands of tribesmen and got them surrounded and captured by Indian infantry. But the fourth time he was captured himself."

This tactic of delaying the tribal invaders' entry into the capital city Srinagar, accompanied by formation of area wise peace committees responsible to maintain communal harmony, law and order in general proved very effective. Sheikh Mohammed Abdullah mentions in his autograph about reports of the plans of Pakistan agents in Srinagar city to destroy all the bridges. This could have effectively sabotaged the Indian army's movements in the city. National Conference volunteers posted themselves at the bridges; Hindus and Muslims alike were prepared to guard their national honor, having heard about the atrocities inflicted on innocents by the savage invaders. The ruler's appeals to Pakistan were of no avail. The raiders caused havoc in different parts of Kashmir. While the savages were knocking at the doors of Srinagar city, Maharajah like the proverbial drowning man catching a straw, had been begging Indian leadership for armed help to fight the invasion.

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In a strange twist of destiny, only a few months earlier the Maharaja had avoided discussing anything worthwhile with the Viceroy under one excuse or the other. Now the same Maharaja appealed to Lord Mount batten of Burma, the Governor-General of India for Indian military aid.

In his accession offer dated October 26, 1947 which accompanied The Instrument of Accession duly signed by him, Maharaja Hari Singh wrote "I may also inform your Excellency's Government that it is my intention at once to set up an interim government and ask Sheikh Mohammed Abdullah to carry the responsibilities in this emergency with my Prime Minister." The Maharaja quietly drove away from Srinagar city on the night of October 27, to the safety across the Banihal Mountains of Kashmir Valley to Jammu.

Field Marshal Manekshaw (He was a colonel at the time of this operation) has described the tragic drama of that night in an interview to the famous journalist Prem Shankar Jha (The rival versions of history):

"The army knew that if we had to send (Indian) soldiers, we would have to fly them in. Therefore, a few days before, we had arranged for aircraft and for soldiers to be ready. However, we could not fly them in until the state of Jammu & Kashmir had acceded to India.

From the political side, Sardar Patel and VP Menon had been dealing with Mahajan and the Maharaja, and the idea was that VP Menon would get the accession; I would bring back the military appreciation and report to the Government.

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The troops already at the airport were ready to be flown in. Air Chief Marshall Elmhurst was the Air Chief and he had arranged for the aircraft from civil and military sources. Anyway, we flew in. We went to Srinagar. We went to the palace. I have never seen such disorganization in my life. The Maharaja was running about from one room to the other. I have never seen so much jewellery in my life - pearl necklaces, ruby things, lying in one room; packing here, there, everywhere. There was a convoy of vehicles. The Maharaja was coming out of one room, and going into another saying , "Alright, if India doesn't help, I will go and join my troops and fight (it) out." I could not restrain myself, and said, "That will raise their morale Sir."

Eventually, I got the military situation from everybody around us, asking what was happening, and discovered that the invading tribes men were about 7 or 9 km from what was then that horrible little airfield. VP Menon was in the meantime discussing with Mahajan and the Maharaja. Eventually the Maharaja signed the accession papers and we flew back (to Delhi) in the Dakota late at night. There was no night facility, and the people who were helping us to fly back, to light the airfield, were Sheikh Abdullah, Kasimsahib, Sadiqsahib, Bakshi Ghulam Mohammed, DP Dhar with pine torches, and we flew back to Delhi.

I cannot remember the exact time. It must have been 3 o'clock or 4 o'clock in the morning. On arriving at Delhi, the first thing I did was to go and report to General Sir Roy Bucher. He said, "Eh, you, go and shave and clean up. There is a cabinet meeting being held at 9 o'clock. I will pick you up and take you there."

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There fore, I went home, shaved, dressed, etc. and General Bucher picked me up, and we went to attend the Cabinet meeting. The cabinet meeting presided by Mountbatten, there was Jawaharlal Nehru, there was Sardar Patel, Sardar Baldev Singh. There were other Ministers, whom I did not know and did not want to know, because I had nothing to do with them. Sardar Baldev Singh I knew because he was the Minister for Defence, and I knew Sardar Patel, because Patel would insist that VP Menon take me with him to the various states. Almost every morning the Sardar would send for VP Menon, HM Patel and I. While Maniben (Patel's daughter and de facto secretary) would sit cross-legged with a Parker fountain pen taking notes, Patel would say, "VP, I want Baroda. Take him with you." I was the bogeyman. Therefore, I got to know the Sardar very well.

At the morning meeting, he handed over the (Accession) thing. Mountbatten turned around and said, "Come on Manekji (He called me Manekji instead of Manekshaw), what is the military situation?" I gave him the military situation, and told him that unless we flew in troops immediately, we would have lost Srinagar, because going by road would take days, and once the invading tribesmen got to the airport and Srinagar, we could not fly troops in. Everything was ready at the airport. As usual, Nehru talked about the United Nations, Russia, Africa, God Almighty, everybody, until Sardar Patel lost his temper. He said, "Jawaharlal, do you want Kashmir, or do you want to give it away? He (Nehru) said, Of course, I want Kashmir (emphasis in original). Then he (Patel) said, please give your orders." Before he could say anything Sardar Patel turned to me and said, "You have got your orders." I walked out, and we started flying in

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troops at about 11 o'clock Or 12 o'clock. I think, the Sikh Regiment under Ranjit Rai that was the first lot to be flown into Srinagar. Then we continued flying troops in. That is all I know about what happened."

Pakistani Major (retd), Agha Humayun Kabir has this to write about what happened in the Kashmir's town of Baramullah: "The Indians collected 30 Dakotas for the airlift and flew two companies of 1 Sikh to Srinagar on 27th October1947 from Willington airport near New Delhi. At this moment, the Indian situation was highly critical; only 40 men were holding a weak defensive position 5 kilometers east of Baramula. All commanding officers during this situation believed in leading from the front, Lieutenant Colonel Dewan Ranjit Rai the Commanding Officer of 1 Sikh being one such man. By 2nd. November the Indians had flown in a very strong infantry brigade (161 Brigade) consisting of approximately four battalions into Srinagar. The commander of 161 Indian Infantry Brigade was Brigadier L.P Sen an Indian army officer with an excellent Second World War record in Burma where he had won a Distinguished Service Order12.

The Indian political leadership was more energetic and on hearing about our indomitable tribesmen's action at Badgam, Sardar Patel the second most important Indian leader after Nehru, visited Srinagar on 4th November1947. Patel stressed the importance of holding Srinagar and assured the soldiers that reinforcements were on the way. The tribesmen had started their main attack by infiltration on the night of 6th November and were fighting on the northern outskirts of Srinagar when the Indians launched their attack (on the invaders) at first light.

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David's troop had already got into the rear of the tribesmen as planned; thus while the tribesmen were attacked frontally by Indian infantry supported by armored cars and aircraft; armored cars were attacking them from the rear. This was too much for men armed with bolt-action rifles. The tribesmen were routed and it was with great difficulty that the situation was finally stabilized at least temporarily at Rampura a narrow defile halfway between Baramula and Uri. The other Indian thrust on Uri-Domel axis made limited progress."

Forgetting their hate for and differences with Maharaja, National conference leadership strongly supported Maharaja's plea for armed aid. Both Maharaja and Sheikh Sahib signed the instrument of accession. Ironically, both of them had two diametrically opposite aims for signing this agreement. While Maharaja signed with the sole object of continued autocratic rule, Sheikh Sahib signed it only after getting the provision of a plebiscite incorporated before sealing the document of accession.

The accession accord finalized due to tireless efforts of the Maharaja's Prime Minister Mehar Chand Mahajan and the union advisor V.P.Menon could have become final for all times to come ,had Sheikh Sahib not been there when the accord was signed. It is notable that Sheikh Sahib had no official status at that time. People ascribe the success of Sheikh's success to his personal equation with Pundit Nehru. He became Chief administrator in November 1947 and was designated Prime Minister in January 1948. It is quite evident that but for the insistence of Sheikh Sahib the instrument of accession would have been as straight forward as those signed with other states like Junagarh, Jamnagar and others, devoid of any clause implying any further ratification in future.

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(Pt. Nehru addressing the crowds at Lal Chowk, Srinagar)

The atrocities unleashed by the tribal invaders in the territories occupied by them, resulted in large number of Hindu and Sikh refugees reaching Srinagar. Homeless and hungry these haunted souls posed a danger to the law and order in the capital Srinagar. They were taken and made to strike their camps in Anantnag(Islamabad).However there too, certain untoward incidents took place which forced the emergency administration run by National Conference in absence of any formal Government,to have these refugees shifted to Jammu from the Kashmir valley township of Anant Nag. It was impossible to organize any transport for lack of motor fuel at that time.

Ultimately, the Emergency workers succeeded in mobilizing the horse drawn carriages –Tongas, to carry the Hindu and Sikh refugees to Jammu, knowing fully well that Jammu and its adjoining areas were ablaze with communal riots. The Muslim Tonga drivers though in know of the dangers involved agreed to

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undertake the risky journey. They did deliver their passengers safely in Jammu, but, alas, on their return all the Tonga drivers were butchered. Such was the blinding communal rage that the Pakistani invasion had unleashed.

After having failed to annex Kashmir by political maneuvering, Pakistan tried to achieve its nefarious objective by force of arms. In accordance with a conspiracy hatched for insurrection at the Pakistani city of Peshawar, the invaders were on way to the Kashmir Valley via Dumel. This effort too failed ultimately as the Indian army with the active support of Kashmiris pushed back the invaders from Shalteng and other fronts as detailed elsewhere in this book. Indian forces flew into Srinagar on 27th October 1947, when the tribal invaders were planning to occupy the State capital. The planes requisitioned from the few private airlines operating in the country at that time, though obsolete models did prove their worth since the fledgling Indian air force did not have sufficient carriers available at that short notice. Many pilots landed planes on an airstrip unknown to them and without the normal navigational aids in quick succession and without a single mishap.

Charged with the task to occupy the defensive positions of Srinagar airport, the Indian troops under the command of Col.Ranjit Rai were the first detachment to land at Srinagar. The only information he could get in Srinagar was that the raiders from Pakistan had not reached the neighboring district head quarters of Badgam.By afternoon the Indian army strength had risen to a battalion strength. Col Rai fell to sniper fire while reconnoitreing with a handful of men. J&K force under the command of Gen.Kulwant Singh with Indian infantry Brigade

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161 under the command of Brigadier L.P.Sen was assigned the task of liberating the valley from the occupation of the Pakistani tribal invaders. Gen.Kulwant Singh took the overall command of forces in Kashmir on 5th Nov.1947 and an armored car division succeeded in reaching Srinagar via the tough Banihal mountain pass.A detachment went forward in the direction of Gandharbal where the invaders were deploying for a surprise attack on Srinagar.

Brig.Sen was told that there were no State Forces fighting in the valley.The few soldiers in Badami Bagh cantt. were reported to be either in hospital or convalescent.

A sheer chance led to discovery of a mountain battery sent by Maharaja Patiala in response to Kashmir Maharaja's appeal for help. But nobody in authority was there to tell them what was expected of them. The dual sights of their guns were missing rendering them useless.

Another episode of a demoralized J& K State force came to light when it was discovered that two thousand men of the State army were hidden in Badami Bagh cantonment.Though the Brigade commander had been told that 200 sick and convalescing men were in the cantonment; the requisition for rations sent shortly thereafter was for 2000 men. The Brigade commander dashed to the cantonment to check the numbers.

Next day Gen Kulwant Singh was invited to view the ludicrous parade of about 2000 healthy men. The attempt to drive them out for duty was partially successful, about 1/3rd refused to report on active duty.

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Col. Roy who was marching towards Baramulla sensing danger of being trapped into a heavy enemy concentration of the Pakistani invaders, affected a slight tactical retreat only to liberate the city from the clutches of invaders on 8th Nov 1947. Consequent to which the invaders started a hasty retreat towards URI. They could not hold on to URI and the Indian army occupied this small town on14th.Nov.1947.

"Pakistan failed to demonstrate either wise diplomacy or any military proficiency during this war.," said Sardar Abdul Kayum Khan of Pakistan administered Azad Kashmir. Even after the open participation of regular Pakistan army in support of the tribal invaders in this war, not only did the advance of invaders come to a halt but also they evicted several positions they had occupied and held.

The Pakistni invaders of Gilgit had advanced up to Ladakh and even upto the District Bandipur of the Kashmir valley but the differences that cropped up between the officers of Pakistani regular army and the tribal irregulars resulted in massive retreat of the invaders from thousands of square miles area."(Ref: Amman Allah's letter published in Khalid Jadeed.Pakistan)

War of Northern territories

In July 1947, the British all of a sudden handed back the administration of Gilgit to Maharaja who promptly appointed Brig.Ghansara Singh as the Governor of Gilgit and adjoining territories. Gilgit scouts won over by Muslim League elements started making all sorts of troubles and demands to create a tense atmosphere. Finally, on 31st October, under the prompting and guidance of the British Major Brown, these

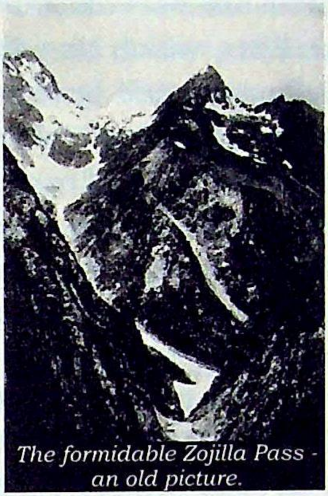
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Pakistan controlled mutinous elements arrested the Governor, murdered the Dogra commanding officer of J & Kashmir state army and put up the Pakistani flag declaring an independent state. A political agent from Pakistan arrived in the 3rd.week of November to take charge of Gilgit.

Zojila Pass commanding the road link to Kargil-Leh in Ladakh region had been captured by the Pakistan guided Gilgit Scouts under Lieutenant Shah Khan on 7th July 1948. The Scouts after crossing Zojila advanced up to Sonamarg with none to oppose them. Moving East/northeast, they reached the outskirts of Leh but could not capture Leh or seriously threaten Srinagar in south. The Indian air force successfully continued to air supply the besieged garrison at Leh.

Gen. Thimaya, the GOC Srinagar Division of Indian army was a determined and able military commander who had firmly resolved to capture Zojila and relieve the Leh Garrison. To improve command and co-ordination he brought 77-Para Brigade from Uri area to Baltal area and placed the three infantry battalions (including one Gurkha battalion) under command of this brigade. The Zojila Pass (11,578 ft) was held by more than one company of Pakistan's Gilgit Scouts that could withstand various determined assaults. The strength of the Pakistani invaders at Zojila lay in immense natural defensive position, unusually high altitude and extreme toughness and determination of the indomitable Baltis of Gilgit Scouts.

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The formidable Zojilla Pass - an old picture.

Thimaya appreciated that tanks alone could achieve a breakthrough and took the brilliant decision of employing tanks at the highest altitude in the history of warfare until that time. A squadron of Stuart Light Tanks of 7th Light Cavalry of Indian army was brought all the way from Akhnur a distance of 445 Kilometers, in about a fortnight, under the cloak of absolute secrecy. The tanks reached Baltal 60 miles Northeast of Srinagar on 15th October, where the tanks had their turrets remounted and aligned. Transported separately the turrets had been removed to escape detection by the enemy during the long journey from Akhnoor. General Thimaya personally flew an air recce mission over the Pass on 15th October.

Meanwhile snowfall had started and this resulted in postponing the date of attack from 25th. October to 1st. November. Finally, on 1st November the tanks, Thimaya in the leading tank attacked the Pass, leading two infantry battalions in the attack on the Zojila. No army in the world could have stopped these juggernauts without anti tank guns, a fact overlooked by

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Pakistan military establishment. Pakistan's Gilgit Scouts were forced to abandon the Pass, which they had successfully held since July 1948. Following this great and gutsy military maneuver, nothing could stop the 77-Para Brigade of Indian army from attaining their objective of reopening the road link to Ladakh and Kargil for the Indian army. The plateau of Dras was captured on 15th November and Kargil on 23rd November. Pakistan's Gilgit Scouts blocking Leh were forced to withdraw, leading to relief of Leh. There is no doubt that employment of tanks at Zojila was the war's greatest strategic surprise, and a non-armour officer was its architect! The Indian Army owes its possession of Ladakh through which it could later gain access to Siachen Glacier to General Thimaya's genius and to seventh Light Cavalry.



"The Indians were lucky in having Thimaya who believed in leading from the front" Tribute paid by a Pakistani soldier, Major (Retd) A.H.Kabir.

The onset of a severe winter froze the military activities in Kashmir region, but the operations in Jammu province surged ahead resulting in pushing back Pakistani occupation of

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Naushehra, Poonch and Rajouri. The retreating Pakistani invaders subjected Rajouri and its civilians to a much worse fate than what even people of Baramula had suffered. With the advent of spring, the military operations restarted with a renewed vigor. On 18th May, Brig Harbakhsh Singh of Indian army advanced from Handhwara, occupying Tithwal on 23rd May, a difficult terrain of forty miles. Lt.Col. Sikandar Khan along with several other Pakistan army officers was taken prisoner by Indian army, during this operation.

Brig.Sen of Indian army commenced his offensive on 28th May from URI occupying Pandu peak .However this peak fell to Pakistani regulars on 10th July when they launched a severe counter attack to regain it as the loss of this peak rendered Muzafarabad, the biggest town in Pakistan administered Kashmir vulnerable to any attack. A Brigade of Pakistan army(101) executed a brilliant attack by infiltration in which two Pakistani infantry units completed infiltration in two days and recaptured Pandu on 24th. July.

The battle of Pandu, though of negligible strategic significance, greatly enhanced the defence of the Pakistani position west of Uri. Pandu, was at a height of 9000 ft plus, a high feature that dominated the Pakistani held position at Chakothi on the main Uri Domel road.

"Here the Indian army came face to face with a regular Pakistan Army formation i.e. the 101 Brigade. The Indians had succeeded in capturing Pandu, which was 9178 ft high on 25th May, however, beyond Pandu the Indian advance petered out and nothing tangiable was gained of any strategic consequence as far as the Indian army's 19 Division offensives were concerned.

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Some analysts in India claim that Indian army was capable of advancing right up to Muzaffarabad at that time, but the government policy restrained them from doing so. Such nationalist chauvinism may be taken with a pinch of salt as it is a characteristic of most of the people, more so the people of Indian sub continent.

Governor General of Pakistan had been very upset when he learnt about the entry of Indian army into Kashmir. Pakistani sources reported that Mr.Jinnah had ordered General Gracey ,the British Acting C-in-C of Pakistan to attack Kashmir. "Gracey refused because Field Marshal Auchinleck, who was the Supreme Commander of both India and Pakistan, overruled British officers to take part in a war between India and Pakistan. Jinnah reportedly tried to assert himself when he ordered [October 24/ 25, 1947] the Pakistan Army to mobilize against the Indian Army's movement towards Srinagar, but was dissuaded from doing so.This was the story floated in Pakistan which has built in contradictions. The refusal by Gracey to Mr.Jinnah's orders could only be interpreted as an act of mutiny. If that was so how come the same Gracey was promoted as Pakistan's C-in-C in February 1948 which is several months after he allegedly mutinied. It obviously is a baseless though interesting an original story indeed, circulated in Pakistan for public consumption! Gracey was C-in-C of Pakistan until 1951 when Ayub Khan took over.

A reliable Pakistani military source describes the panicky scene in their country in these words:

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"It was remarkable that as a very sick 71-year-old man in 1947, Mr Jinnah possessed the tremendous Coup d Oeil (unusual strategic insight) and resolution to order Gracey in October 1947 to employ two brigades of Pakistan Army to attack Kashmir; one from Sialkot going for Jammu and one from Rawalpindi going for Srinagar ! It was indeed a pity that he did not possess any adviser, who could be called a 'Man' (A MAN LIKE PATEL) of sufficient ability and independent judgment to convince him to override Gracey who was behaving little better than a glorified head clerk and mouthpiece of Auchinleck!"

Under pressure from Mr. Jinnah, Gracey proposed a counterstroke involving an armored brigade and infantry brigade originating from Bhimbhar area and directed at Beri Pattan on the main Indian supply route from Akhnur to Nowshera-Rajauri and Poonch. The aim of the projected "Operation Venus", as the Pakistan counterstroke was code-named, was not to recapture Poonch leave aside recapture of the Valley. In words of the Pakistan official history of the Kashmir War, the aim of the proposed operation was to — 'force India to sue for an immediate ceasefire on basis of the prevalent status quo. Their recent operations having involved their maximum effort, the contemplated operation would force the Indians to terminate the conflict instead of prolonging the war in Kashmir."Source: Pakistan military-Major (retd) A.A.Kabir.

According to this plan, the Pakistani tribesmen now decided to infiltrate and bypass the Indian position from both north and south and capture the Srinagar airfield, which was the centre of gravity of the whole battle. The Pakistani tribal invaders who

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were masters of guerrilla warfare successfully went into the rear of the Indian position from its south by infiltration and managed to reach Badgam, a village just a few kilometers away from the Srinagar airfield on 3rd November. Here they successfully raided and dispersed an Indian infantry company inflicting in the process an extremely heavy loss on the Indian army in terms of men killed including the Indian Company commander Major Somnath Sharma.

Gen Auchenleck did come to Pakistan and advised Mr. Jinnah to seek diplomatic solution to the problem of Kashmir rather than relying on force of arms. Consequently, Mr. Jinnah invited the Governor General and Prime Minister of India to visit Lahore for parleys. Lord Mountbatten went to Lahore but Pundit Nehru could not make it.

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Chapter-4.

Security Council, unique institution of Mir Waiz-Kashmir, Khilafat movement, Moulana Yusuf Shah and Pakistan Administered Kashmir (PAK)

Security Council and Kashmir.

"The Government of India wishes to bring to the notice of Security Council of UNO under article 35 of the charter that Pakistan is sending reinforcements to the invaders who have illegally by force occupied areas of J&K state. Since Government of India is bound to clear the occupation of Kashmir by these invaders, it might become imperative to cross the boundary lines with neighboring Pakistan. It is our fervent appeal that United Nations demand Pakistan to desist arming and advising the invaders." The appeal was submitted though not using the same words as above but conforming to the spirit of the letter. Sheikh Sahib averse to the idea of approaching UNO for intervention was confident the Indian army could free entire occupied area by itself. However many considerations play their opposing roles in International politics. Sheikh Sahib while addressing the UN Security Council on 5th.Feb 1948 declared, "Not only is this the offer that was made by the people of Kashmir to Pakistan long, long ago, but it is the offer made by Prime Minister of India at a time when, I think, he had not the slightest need for making it, as Kashmir was in distress. We realized that Pakistan would not allow us any time, that we had either to suffer the fate of our kith and kin of Muzaffarabad, Baramula, Srinagar and other towns and villages, or to seek help from some outside authority. Under those circumstances, both the Maharaja and the people of Kashmir requested the Government of India to accept our

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accession. The Government of India could easily have accepted the accession and could have said, "All right, we accept your accession and we shall render this help". There was no necessity for the Prime Minister of India to add the proviso, when accepting the accession that "India does not want to take advantage of the difficult situation in Kashmir. We will accept this accession because, without Kashmir's acceding to the Indian dominion, we are not in a position to render any military help. But once the country is free from the raiders, marauders and looters, this accession will be subject to ratification by the people." That was the offer made by the Prime Minister of India. That was the same offer which was made by the people of Kashmir to the Government of Pakistan, but it was refused because at that time Pakistan felt that it could, within a week, conquer the entire Jammu and Kashmir State and then present a fait accompli before the world, just as happened some time ago in Europe." In reply to the debates on the issue in United Nations the then Foreign Minister of Pakistan Sir Mohammad Zafar Ullah replied, "The Government of Pakistan vehemently denies helping in any way the operations in Kashmir against India."

On 5th.March1948, Pundit Nehru addressing the Constituent assembly said, "The Government of Jammu and Kashmir is now no longer an autocratic government. It is a government representing the largest popular party in the State. Led by a leader who, during these many months of unparalleled stress has sustained the morale of his people, maintained an effective administration over the greater part of the State, and, generally, has inspired effective resistance to the brutal attempts of the invaders to overrun and destroy Kashmir. There is no alternative administration possible in Kashmir, unless that administration

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rested on coercion. If Sheikh Abdullah was not there by the will of the people, he could not have survived, much less could he have accomplished what he has done during these difficult months. It is for him to choose any national of Kashmir to assist him in his Government and it would be improper for us to interfere with his discretion in this matter...I should like to express my gratitude to Shri Gopalaswami Ayyangar and his colleagues for the ability and firmness with which they presented our case before the Security Council. Sheikh Abdullah has gone back because his work lies with his people at this grave juncture. He has to assume a heavier responsibility. I feel confident that he will discharge this new responsibility with that strength and vision which have endeared him to Muslims, Hindus and Sikhs in Kashmir. His place in the delegation has been taken by Shri Girja Shankar Bajpai, Secretary-General of the Ministry of External Affairs."

While the war in Kashmir continued, the Security Council held eight sessions and passed several resolutions submitted by several nations all more or less favorable to Pakistan, thereby throwing the main issue of Kashmir out of focus. On 17th April 1948, the council after some deliberations passed a resolution, which recommended sending a delegation of five members to the sub continent for mediation. This resolution was unacceptable to both the contesting countries. Pakistan rejected it on the ground that it did not address the demand of a plebiscite and India rejected it as it presented India too as a culprit. The delegation did visit both the countries, while in Pakistan, the foreign Minister Zafar Allah Khan did acknowledge that three battalions of Pakistani army were in Kashmir for defensive purposes. The delegation submitted a report stating that the presence of Pakistani army has totally changed the scenario, which the Government of Pakistan had presented to the council earlier.

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On 5th.May, Sir Owen Dixon was delegated as a representative of Security Council, instead of the commission. He observed that the opposing parties had crossed the borders of Kashmir state and the entry in month of May of the Pakistani regular army into J&K state had been contrary to international law. The international community started feeling concerned due to escalation of war in J&K. Several attempts made to affect a ceasefire between the two parties failed initially. Both antagonists rejected the first resolution passed to this effect in August. The international efforts continued resulting in an effective ceasefire only in January 1948.

This resolution enjoined three clauses according to which:

1 - Both the parties were to desist from increasing their armed might.

2 - Pakistan was to recall its regular as well as the irregular armed forces from J & K state and India was to maintain forces in the state only enough for the security and maintenance of law and order.

3rd. Part declared, "The Governments of India and Pakistan will submit to the independent wishes of the people of the state regarding the question of accession." This resolution was conditional to Pakistan observing the 2nd part of the agreement, which it failed to implement.

Sir Owen Dixon appointed by United Nations to observe and facilitate the execution of U.N directives on Kashmir, stayed in Kashmir for three months and tried to work out a process of disengagement of troops on both sides as per the

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recommendations of Gen. McNathan. Also suggested was that both sides withdraw their troops simultaneously from the territories under their respective control. However, the rebel governments of Baltistan and Gilgat in North and North West continued their existence unfettered. Failing to agree to this proposal of his, Sir Dixon further recommended that the territories, where the public opinion was clear and uncontested, could remain with the country they were already with, and a plebiscite be held in only those areas where the will of the people was not clear and under dispute. This suggestion of Mr. Dixon too met with failure and he retired from the commission after asking the two countries to sort out their differences themselves.

Dr.Graham, another nominee of United Nations, followed Mr. Dixon. He tried for two years to work a formula for demilitarization of Kashmir but without achieving any success and the stalemate continued.

The Unique institution : Mir Waiz of Kashmir.

To comprehend the ethos of Kashmiriyat which played a more important role in Kashmir politics than Mr.Jinnah's two nation theory, it is pertinent to understand the pecularities of Kashmiri Muslim culture.The nucleous of Kashmiri Muslim thought can be traced having it's origins in the institution of Mir Waiz.

The religious institution of Mir waiz is as indigenous to Kashmir as its language or for the matter of that the unique mobile warming device known as the Kangri.

Kashmiri leaders irrespective of their caste or creed have all along been stressing the peculiarities of their culture, their Kashmiryat and its unique institutions. These could mean their

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food, their dress their language, their music, the landscape of their state and above all the Rishi culture that colored their religious outlook. One of the typical by products of Kashmiryat is the office of Mirwaiz, the sermon master. The role played by whosoever happened to be the holder of this august position, has been crucial in the socio- political atmosphere of Kashmir.

Nowhere in the Islamic world, does this Muslim institution have a parallel model. Mir Waiz of Kashmir has always played an important role in the politics of Kashmir owing to great admiration and respect that the people of Kashmir hold towards this religious seat of authority. This institution is nearly six hundred years old and evolved after Syed Ali Hamdani and Nur ul Din Alam (Nund Rishi) made a strong spiritual impact on the masses. The Mirwaiz besides being a religious leader also holds a position of a senior advisor to the Muslim community. The Muslim community looks at the office of Mir Waiz for interpretation of religious laws as also matters affecting the community, which include the state of politics affecting the Muslim community. From the very early times when Islam gained ascendency as the dominating religious belief of Kashmir,two seats of spiritual power emerged in Kashmir valley,both called Mir Waiz and both commanding a large following of Kashmiri Muslims. The office is hereditary, a reminder of the Brahmanic institution of head Mahants in ancient Kashmir.

In 1905, the Mirwaiz of Kashmir, Moulvi Rasool Shah founded an association, Anjuman Nusrat-ul Islam, to improve the lot of Kashmiri Muslims, especially their education and propagation of correct Islamic doctrine. In 1920's the Mirwaiz Kashmir, Moulvi

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Ahmad Ullah Shah had achieved a position of the most important and influential Muslim religious leader of the valley. Another Muslim religious leader, Mirwaiz Hamadani of the Khanqah e Moualla, challenged his supremacy as the first amongst other Muslim leaders. Syed Ali Hamadani, the missionary saint who had done the spadework for spread of Islam in the Valley in the 14th century and where Sheikh Nur Ul Alam is reported to have spent quite some time in meditation, founded the shrine of Khankah e Moula originally.

The antagonism between Mir Waiz Hamdani and Moulvi Ahmed Ullah Shah became a matter of common knowledge as both put forth claim to the title of Mirwaiz of Kashmir that indirectly implied the supreme leadership of Muslim community of Kashmir. There are no authentic records available about how ultimately Moulvi Ahmed Ullah Shah gained ascendency over his rival Mir Waiz Hamdani. Some attribute it to his anti Khilafat movement stand that had started gaining ground in India with the support of Gandhi ji and had affected Kashmir too. It will be pertinent to note here that Ghulam Nabi Hamdani was a strong supporter of Sheikh Mohammed Abdullah during his revolutionary days. The Maharaja in deference to the wishes of his overlords the British Government was gunning for the Khilafat movement supporters and found a willing allay in the Mir waiz Moulvi Ahmed Ullah.

The Khilafat movement (1919–1924) was a pan-Islamic political movement launched by Indian Muslims to pressurize the British government in support of the Ottoman Empire. Badly mauled in World war-1 as allies of Kaiser's Germany, the Ottomans were loosing their centuries old imperial power. The position of Caliph

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after the Armistice of Mudros of October 1918 with the military occupation of Istanbul and Treaty of Versailles (1919) became an irrelevant and redundant office, much to the consternation of some sections of Muslim community specially in India. The movement in India gained force owing entirely to the efforts of Gandhi ji who perceived it to be a God sent opportunity of bridging the gap between Congress party and the poorly organized Indian Muslims of that time.

Ironic it may seem to us how a sworn enemy of imperialism could fight one imperialist for the sake of another imperialist power, which the Ottoman Empire was. The Khilafat movement against the British gained strength after the Treaty of Sèvres (August 1920), which finalized the partition and total disintegration of the Ottoman Empire leading to creation of several independent nations including Iraq,Jordan,Palestine and Egypt.

In India, mainly a Muslim religious movement in sympathy with the defunct Ottomans became a part of the wider Indian independence movement. Moulvi Ahmed Shah had a good rapport with the Maharaja Pratap Singh who suppressed the khilafat movement in the state. Mohammad Yusuf Shah succeeded his uncle in March 1931 as the Mirwaiz Kashmir.

His keen eyes caught sight of a young school teacher, Sheikh Mohammed Abdullah. Moulvi Yusuf Shah took the young postgraduate teacher under his patronage. The famous disturbances of 1931/32 resulted in both of them serving terms in the Maharaja's prisons. In 1932, they along with some other young revolutionaries established the All Jammu & Kashmir Muslim Conference (Referred to as Muslim conference), which had the distinction of being the sole party opposing the Maharaja.

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It was a matter of time before the younger and charismatic Sheikh decided to part with the company of his patron resulting in Moulvi Moulana Yusuf Shah turning into an opponent of Sheikh Mohammed Abdullah.

However, he failed to find favor of Mr. Jinnah in subsequent years as written earlier. His mysterious disappearance from Kashmir, just before the tribal invaders attacked the J & K state in 1947, was highly suspicious and a poor reflection on his august personality.Before the afore mentioned invasion some junior rung Pakistani leaders it is believed, had met Moulana Sahib in a Srinagar hotel and persuaded him to accompany them to Pakistan.

In accordance with the conspiracy hatched by Pakistan, the formation of a so called "Azad Kashmir" Government set up in a hotel at Rawalpindi in Pakistan, took place on 3rd.Oct 1947. In the same meeting, some Pakistani leaders and anti Sheikh Abdullah elements of the incursion had decided to dethrone the Maharaja of J&K and have him exiled. Radio Pakistan announced the formation of this Government headed by one Mr. Anwar as the President of this newly formed Government in exile. However later it was known, that Anwar in reality was Ghulam Nabhi Gilkar who had been a working committee member of Muslim Conference and an old colleague of Sheikh Sahib. The possible reason of hiding the identity of the President could be the fact that soon after the radio announcement of the new government, Mr.Gilkar, the President had left for Srinagar in surreptitious circumstances to arrest Maharaja Hari Singh .

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Meanwhile the war of the tribal invaders had broken out, Gilkar Sahib cut off from his supporters, and resources in Pakistan could not make it back to Pakistan. Eventually the Government of Sheikh Mohammed Abdullah later arrested him.

Moulana Yusuf Shah enjoyed two terms as President of this sham government in the territories of J&K state occupied by Pakistan and called Pakistan administered Kashmir (PAK for short). In twenty years time this government had six different Presidents. In 1955 the Muslim conference of Kashmir head quartered now in Pakistan, prepared a memorandum declaring that the Pakistan Ministry for Kashmir affairs would be the sole authority to make or break any government in these territories seized from J&K state, it deems fit. In 1975 People's party of Pakistan set up its office in PAK, dismissed and arrested the Muslim conference leader Sardar Qayuum Khan and forced several leaders to join the party and a Council was formed which was presided over by the Prime Minister of Pakistan.

A similar fate awaited the north western territories of the J&K state, Baltistan and Gilgit, thereby bringing the Kashmiri territories captured by Pakistani regulars and irregulars in 1947 directly under the central administration of Pakistan government.

Moulvi Farookh wore the mantle of Mir Waiz after Moulvi Yusuf Shah's exit from Kashmir and defection to Pakistan. He began his political career as a staunch pro-Pakistan leader but later getting wiser to ground realities in PAK, as also the conditions of Kashmiris in Pakistan, his views changed and he leaned towards an independent status for Kashmir. This transformation earned

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him enmity of many in Pakistani establishment. He headed the Awami Action Committee which is now lead by his son Moulvi Umar Farookh.

Mirwaiz Moulvi Farookh was assasinated on May 21, 1990 when gunmen barged into his Srinagar residence and shot him at point blank range.

Moulvi Farookh's killing shattered life in the Valley, which had just seen the beginning of insurgency. Police blamed the pro Pakistani militants for the murder that they denied. Moulvi Farookh's bullet ridden body carried to the local hospital caused a huge crowd to gather there. In the ensuing melee, crowds snatched the coffin and security forces posted near Islamia College in the old city were compelled to fire upon the funeral procession that had attracted masses of frenzied mourners. Human-rights organizations put the death toll at sixty. Even the coffin of Moulvi Farookh was riddled with bullets. The incident not only angered people but also led many to believe the rumors afloat that Moulvi Farookh's elimination was engineered by Indian and Kashmir government agencies.

The reality of the macabre deed was publically disclosed by a close associate many years later (described elsewhere in this book). Moulvi Farooq's independent stand on crucial political issues caused him enmity of people occupying important positions of power in the Pakistan sponsored militant camp.

His son Moulvi Umar Farookh had to take the heavy responsibilities on his young shoulders

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Chapter-5.

Framing of Constitution, appointment of regent, Article 370, Sardar Patel's dilemma, seeds of mistrust.

The process of drafting the Indian constitution started in 1948. J&K state being a contested issue under discussion of the Security Council; it became imperative to include Kashmir representatives in the Legislative Assembly. These included Sheikh Mohammed Abdullah, Mirza Mohammad Afzal Beg, Maulana Syed Massoudi and others. The accession agreement of J&K state signed by the Maharaja became fundamental for drafting the constitution. According to this agreement, only three affairs of the state were subject to constitution of India. These comprised of defense, foreign affairs, transport and communications. Accordingly, Article 370 incorporated in the constitutional draft granted the Jammu and Kashmir state a special status. This special position permitted the state to have its own Head of the state (Sadar Riyasat), its own flag and its own constitution besides the chief administrator designated as Prime Minister. In addition, the article also excluded the jurisdiction of Supreme Court of India, Central Election Commission, Account and Auditor general from J&K state. The inclusion of this special constitutional status for J&K state in the Indian constitution followed long protracted negotiations between the constitution makers on one hand and Sheikh Mohammed Abdullah and his colleagues on the other. Ultimately, the Legislative Assembly submitted it as draft constitution under Article 370 with the active support of Pt. Nehru.

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The original idea for Article 370, a legal connotation that prohibited the purchase of land and property by non-State subjects was mooted decades back by the aristocracy and intelligentsia of J&K state –overwhelmingly of Hindu community. Mostly Kashmiri Pundits had dominated the state services since ages. They possessed the requisite academic credentials for entry into the services; however, they only occupied the lower rungs of services. In practice the Punjabi and Bengali Hindus and Muslims, controlled all the superior services of the state. The Kashmiri Muslims wallowing in abject poverty and illiteracy had yet to register their presence in the field of education. Sensing the indifference to pathetic conditions of the local populace by the Punjabi and Bengali bureaucracy, the Kashmiri Hindus joined the ranks of the Jammu intelligentsia demanding the rights of the Mulki-, the sons of soil, for the senior positions of the state administration. The first meeting to this effect held in Jammu was presided over by Pandit Jia Lal Kilam, a very prominent personality of the Kashmiri Pundit community.

The state subject movement was generated and strengthened by the Kashmiri Hindus, who had sailed abroad to equip themselves with modern education prevalent in the West. Fired with new idealistic thoughts, these young men led by Pundit Shankar Lal Koul carried on a relentless campaign in the Indian press for the Kashmiris to be sole claimants for employment in the administrative set-up of the state. Not to be dismissed as a sectarian movement, these educated young revolutionaries sowed the seeds of a nationalist ideology embracing all segments of the state population. However, this very article of faith proved cause of disagreement as in a way it contravened the basic rights

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to which the Indian state is committed. When the draft of the constitution was presented, the legislature regarding Jammu Kashmir state was tagged as Article306-A.Shekih Sahib submitted the draft of Article 306-A to the working committee of National conference for perusal .

During the subsequent working committee meeting of National conference, the committee rejected the draft of Article 306-A. Commenting on it Sheikh Sahib expressed his grave apprehension about the provisions in Article 306-A. According to him, the draft would make it impossible to enact laws that would prevent non- state subjects from acquiring properties in Jammu Kashmir state. He opposed the enactment of provisions in Indian constitution of basic human and civic rights. In addition, he expressed concern about the clause in the draft constitution, which mentioned that the provisions of special status were for a limited duration only.

Accordingly, Sheikh Sahib submitted an amended draft for consideration of the Legislative assembly. Negotiations between Sheikh Sahib and the constitution drafting committee represented by Shri Gopal Swami Iyengar was a long tortuous affair. Sometimes there appeared an apprehension that the talks might fail. At one point Sheikh, Sahib even indicated his desire to resign from the constitution making committee along with his colleagues. The opposition of the home minister Sardar Patel to any special status provisions for J&K state in the proposed draft constitution became well known. He was particularly upset with Sheikh Sahib's opposition to inclusion of basic human rights and recommendatory principals. Credit goes to Mr.Iyenger for his dexterity in handling the delicate situation, which posed the threat of a breakdown that could have blown away the very basis

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of Kashmir's accession to India. The letter below written by Shri Gopal Swamy Iyenger to Sardar Patel on 15th.Oct 1949 is indicative of the situation that had arisen because of the insistence of Sheikh Sahib for the amendments to Article 306-A, (Translations made from the Urdu text)

"Dear Sardar Sahib,

Sheikh Sahib and two of his colleagues had an hour and half meeting with me today morning. As already mentioned it was a long discussion. They did not have any major or substentative objections against the draft. I pointed out to Sheikh Sahib that after having detailed discussions about the draft at his residence followed by the discussions at the party meeting, I had not expected that he would go back on his word and subject both Pundit ji and me to an embarrassment. In his reply, Sheikh Sahib told me that his responsibilities towards his own people prevented him from accepting the draft, to which I suggested him to think over the matter again. I hope in a day or two he will mull over it and be more amenable. Meanwhile I have given a second thought to the matter and prepared a draft, which while maintaining our stated position is drafted in a manner that will be acceptable to Sheikh Sahib. In the evening, I had a meeting with the drafting committee when we exchanged views regarding the draft. The committee suggested some points that I have noted and included in the draft. I am forwarding copies of the letter and the drafts that I have sent to Sheikh Sahib. I hope these will meet your approval.

Yours

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N.Gopal Swamy Iyenger

N.Delhi-15thOctober1949."

Sardar Patel's reply to the above-mentioned letter was:

"Dear Gopal Swamy Iyenger, Please accept my thanks for your letter of 15th.October1948. I understand that the original draft has been subjected to major changes, particularly those regarding the state's policy on basic rights and governing principals to accession of the state. You yourself can understand the irregularities involved. While on one hand the State wishes to be a part of Indian union, on the other hand it does not want to accept the provisions of accession. I did not feel any necessity of changing any arrangement particularly when the party itself in presence of Sheikh Sahib had accepted the terms. It seems whenever he wishes to change any terms, he always makes an excuse of his responsibility towards his people. Does Sheikh Sahib not feel any responsibility towards the country? Nor does he feel any responsibility towards you or the Prime Minister who has contributed so much for strengthening him and his high position. Under the circumstances stated above, the question of my sanction and agreement does not arise at all. You may proceed ahead as you deem fit.

Yours,

Sardar Vallabh Bhai Patel.

A lengthy letter of Sheikh Sahib to Shri Iyenger, excerpts of which are as given below, applied the final touch to the issue:

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Dear Gopal Swamy Iyenger,

17th. October1949

Today's' proceedings in the constituent Assembly have been cause of disturbance to my three colleagues and me, who are J&K representative members of the Assembly. In my letter dated 12th.Oct. I had made plain that the draft of article 306-A prepared by you was not acceptable to us. The article fails to fulfill the promises that Pundit Nehru had made to us on behalf of the Government of India. This article also goes against the stand of National Conference taken from its inception and supported by Pundit Nehru and Sardar Patel in their public addresses. For these reasons, we prepared a draft based on accession, which restricts the Parliament's role of formulating laws for J&K state only to three matters. Having received your letter of 15th October I sent you my reply on 16th.October in which I categorically refused acceptance of your amended draft."

The letter further states, "My colleagues and I after considering the whole matter with seriousness that it calls for, wish to inform you not to let the matter rest here. I do not wish that unpleasant atmosphere be created. I request you to examine the possibilities of rectifying the situation. If I don't get a satisfactory reply from you we will be constrained to resign from the Constituent Assembly."

The legislative assembly included Article 370 in the Indian constitution on 17th Oct.1949, which assured a special position to J&K state. While 600 states, small and big were amalgamated into the Indian union losing forever their identities, J&K state

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earned a special status and the right to maintain its individuality and identity. This development led to strained relations between Nehru and Sardar Patel. (Ref: Testament of Sheikh Abdullah)

Article 370 allowed the formation of a legislative Assembly for J&K state which would decide which of the provisions of Indian constitution were applicable to the state with or without amendments. These provisions were included in the Delhi accord. The Article also gave the right of making laws for the state based on and limited to the following.

All such matters of the Union and Concurrent list which the State Government decides upon after getting the consent and clearance from the President of the Republic who will decide that the provisions are consistent with articles of accession and based on which the Indian parliament can form laws about the state of Jammu & Kashmir. The matters (included in a list) that the President of the republic would issue as ordinance after consultation with the State Government.

There have been many critics of the special status for J&K state; many argue that it would amount to creation of a state within a state. However, most forget that special situations do need special approaches. Ours is not the only nation confronted with such question. There are several geographical zones in the world where sovereign nations have conceded special rights to local governance. Take for example the case of Germany. Even a small and homogenous country like Germany has a special status for the State of Bayern (Bavaria), which has its own constitution and is even armed with a right to secede from the Federal Republic of Germany. Their national party CSU fights elections only in the

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State of Bayern. The reasons for this demand of the Bavarians in Germany are very similar to those of Kashmiris: A strong sense of having a different culture, a different mini nation, a different language, and even a different topography. The case of Bayern proves there can be a semi-autonomous, small state within a greater state having some laws peculiar and restricted to it alone. Jointly both can thrive and face the rest of the world as one nation.

Clash of Sheikh with the Maharaja

While the fight for a special status of the state was on, a second front opened owing to clash between Sheikh Sahib and the Maharaja. The instrument of accession signed by Maharaja was to retain his position as the de facto ruler of the state, while Sheikh Sahib had ratified the accession instrument so that he could give concrete shape to his programme of NAYA KASHMIR. It was the outline of a plan to convert the Jammu and Kashmir state from an absolute monarchy to a constitutional democracy with the Maharajah remaining a figurative Head of the State as the Monarch is in Britain.

A detailed economic plan for the development of Jammu and Kashmir State was a part of this memorandum. The National Conference adopted it as its manifesto subsequently. The "Naya Kashmir" plan proved to be immensely popular in Kashmir as it was the blueprint for a welfare state far in advance of its times. Maharaja and Sheikh both had conflicting interests. NAYA KASHMIR programme, which was on top of Sheikh Abdullah's agenda, was demanding revolutionary agricultural reforms and end of absentee land lordship, Jagirdari. Maharaja's edifice based on Jagirdari system there by faced an issue of self-

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survival. While Maharaja was agreeable to renounce some of his functional powers, he was opposed to handing over vital powers to the Prime minister.

The idea of functioning as a nominal Prime minister devoid of powers to deliver what he had been promising to his people was abhorrent to Sheikh. The worsening relations between Sheikh Sahib and the Maharaja resulted in the former's insistence on the central leadership to sue the Maharaja for the excesses committed on Muslim community, particularly in Jammu province. However, if the Maharaja were ready to forego his powers, no case would be filled against him conceded Sheikh. The clashes between the Maharaja and Sheikh Abdullah put the central leadership in a great quandary. Forcing the Maharaja to surrender his executive position would render the instrument of accession ineffective; on the other hand, the support of Sheikh Abdullah was fundamental to India's stand and claim on Kashmir. Finding itself between the devil and the deep sea the central leadership requisitioned the services of Shri Gopal Swamy Iyenger to sort out the dilemma.

Mr. Iyenger did sort out the issue. The Maharaja persuaded to relinquish his position and live outside the state appointed his son, Yuvraj Karan Singh as regent. The Maharaja lived in Bombay until his last days while his son functioned as his regent in J&K state. The deposition of Maharaja further deteriorated the relations between Pundit Nehru and Sardar Patel. In a letter to Nehru, Sardar complained about the increasing expenses on army's Kashmir operations, to which Nehru replied that a lesson had been learned that it was easy to begin military operations but difficult to stop the same.(Ref:Kuldeep Nayyar:Distant Neighbours).

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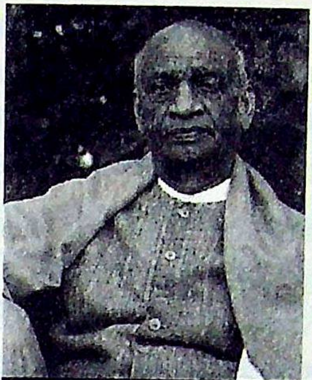
The demand of internal autonomy for J&K state, the deposition of the Maharaja, demand of a legislative assembly for the state and implementation of agricultural reforms that were in conflict with the fundamental rights and the right to property; even before formation of the Legislative Assembly in J&K state, all these steps irked Sardar Patel. Sardar Patel went to the extent of expressing a desire to resign. Presented to public as a sequel to differences with Mr.Iyenger the truth lay elsewhere. Mr Iyenger was the minister without a portfolio dealing with Kashmir affairs. When Nehru asserted his authority over handling of Kashmir affairs, Patel objected to Nehru's sidelining his home ministry officials. If Nehru felt offended by Patel's decision-making, Nehru's irregular actions contrary to well-defined ministerial jurisdictions perplexed and irritated Sardar Patel.



Left to right: Sardar Patel, Bakshi Ghulam Mohammed and Sheikh Mohammed Abdullah.

Pundit Nehru while appreciating the concerns of Sardar Patel referred to the peculiar concerns of the J&K State government. He mentioned the necessity of agricultural reforms in the state and the need of taking requisite steps to allow speedy implementation of the welfare programme of the state.

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Sardar
Vallabh Bhai Patel

Fed up with constant frictions wherein officials of home ministry started meddling, Sardar Patel, fully aware of Nehru's popularity, asked Gandhi to relieve him of his obligation to serve. At the same time he was careful not to indulge in an open political confrontation that would hurt India's national interests. After much personal deliberation, Gandhi on 30th January 1948 asked Patel not to leave the government. A free India, Gandhi stressed, needed both Patel and Nehru. Patel was the last man to see and privately talk with Gandhi.The Mahatma was assasinated soon after Patel left him. At Gandhi's wake, Nehru and Patel embraced each other and addressed the nation together. Patel gave solace to many associates and friends and immediately busied himself with anti rioting measures to forestall any possible violence.

Within two months of Gandhi's death, Patel suffered a major heart attack. Maniben, his daughter, his secretary, and nurse saved Patel's life. Speaking later, Patel attributed the attack to the "bottled up grief" due to Gandhi's death. Despite the opposition of Sardar Patel, Pundit Nehru was convinced of the

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desirability of internal autonomy for the state and accordingly an agreement was arrived at, that granted J&K State internal autonomy. Statement issued by him from NewDelhi on Jan 15th.1948:

"But let it be remembered that the people of Kashmir are suffering from a brutal and unprovoked invasion, and we have pledged ourselves to help them to gain their freedom. To that pledge, we shall hold and we shall do our utmost to redeem it. We seek their freedom not for any gain to us, but to prevent the ravishing of a fair country and a peaceful people...."

Seeds of mistrust-Sheikh and Sardar.

Lacking any official effort to historicise the conflict between Nehru, Sheikh on one side and Sardar Patel on the other, myths and half-truths acquired a status of credibility.

The seeds of mistrust that had been sown long time back between Sardar Patel and Sheikh Sahib, percolated down to the official machinery with the passage of time. Sardar Patel being the home minister all the intelligence reports went to him, which according to Sheikh Sahib's statement in Delhi were mostly fabricated lies prejudiced against him. The uncertain conditions along the border of Kashmir and the high probability of subversive activities taking place on behest of Pakistan were matters of concern for the Indian state and hence the need to have a central intelligence agency stationed in J&K was a dire necessity. The matters came to a head when Sheikh Sahib demanded the replacement of the intelligence officer of Kashmir. Delhi granted his request, substituting the officer by a junior officer. Within a few days, Sheikh Sahib again objected about the

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presence of the new officer and demanded that no intelligence officer be appointed for Kashmir without prior consent of the state government. Stating that law and order being State jurisdiction the centre had no right to post intelligence officers in Kashmir. This created a stir in Delhi. Sardar Patel is reported to have told Nehru, "Leave Kashmir to its fate. Kashmir has been a gamble for us, we have lost, and now we should be ready to bear the consequences."

Sheikh Sahib claims to have been moved by the personal appeal of Pundit Nehru and he permitted the posting of the intelligence officer. In Jan.1949 Sheikh Abdullah granted interviews to two foreign press correspondents. The intelligence in its reports to Delhi had mentioned Sheikh Sahib having discussed the prospects and possibilities of J&K as an independent country. These reports possibly owed their origin to an interview of Sheikh Sahib with Michael Davidson of Scotsman. On 14 th.April 1948. Sheikh Sahib is alleged to have said, "Independent Kashmir, guaranteed by United Nations may be the only solution". Earlier to this Sheikh Sahib gave an interview to one Warren Austin on 28th. January 1948, a note about which was sent by this person to the U.S. state department.

Pundit Nehru and Gopal Swamy Iyenger demanded a clarification of these reports from Sheikh Sahib, who denied the allegations, made in these reports, and demanded immediate recall of the intelligence chief. The conflicting intelligence reports continued to confuse the Delhi leadership. To end the state of affairs and get a correct view of happenings in Kashmir, Pundit Nehru and Sardar Patel appointed B.N.Mullick as the intelligence officer in Kashmir. Mr.Mullick after studying the

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conditions in Kashmir submitted a detailed report to Delhi the bottom line of which was that Sheikh Sahib had not aligned with India because of pressure of circumstances but because of a genuine ideological affinity and personal love and admiration for Nehru and Gandhi. Sardar Patel called Mullick and bluntly told him that Mullick's observations were untenable.

The deteriorating relations took a turn for worse when Sheikh Sahib alleged that efforts were made by a section of the central government to dislodge him in favor of Bakhshi Ghulam Mohammad. He further added that he had written to Pundit Nehru offering his resignation to which Punditji is reported to have replied, "I recognize only one leader of Kashmir and he is Sheikh Mohammad Abdullah." (Ref: My years with Nehru. B.N. Mullick)

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Chapter-6

Formation of Legislative Assembly, end of Dogra rule, Praja Parishad agitation, Shyama Prasad Mukherji and Jan sangh, drifting away of Sheikh Mohammed Abdullah.

Pakistan having failed to comply with the Security Council resolution demanding Pakistan to withdraw its army from the occupied areas of J & K State as a prerequisite to a plebiscite, an atmosphere of uncertainty had been prevailing in the state. Under the circumstances, Gopal Swamy Iyenger suggested formation of a Constituent Assembly. However this claim of Mr.Iyenger is put in doubt as Syed Mir Qasim in his book, "My life and times" mentions that it was Sheikh Sahib's idea to have a Constituent Assembly for the state, after his return from UNO.

On 14th April 1951, an ordinance issued by the regent Yuvraj Karan Singh called for formation of a Constituent Assembly which would draft a constitution for the state. Pakistan raised strong opposition to this movė in Security Council that went unheeded. The Government of India had given a categorical assurance to the international community about the jurisdiction of the proposed Assembly. The Assembly would be confined to internal matters of the state and in no way interfere in the foreign policy matters.

The elections to the Assembly held in September 1951 resulted in the National Conference bagging all the seats and the first Assembly session was called on 5th.November. Sheikh Sahib addressed the Assembly in his capacity as the Prime minister of the J&K state:

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"After centuries of slavery we have achieved our independence. The members assembled here, now have the opportunity to define the future of their country." Describing the special ties with India and praising its federal structure Sheikh Sahib added that with continued support of India, the state could aspire for high grade of development with a secular outlook. Further, he added that Kashmiri people along with the rest of Indians could aspire for higher achievements.

Referring to Pakistan, Sheikh Mohammed Abdullah said that Sir Owen Dixon's report clearly indicts Pakistan as an aggressor and that no responsible, non-partisan nation had objected to the accession of Kashmir with India signed by Maharaja Hari Singh. Holding of a referendum would be possible when Pakistan withdraws its forces from the State territory and India keeps just enough forces to meet any threat of a sudden aggression. He concluded by expressing a desire that the people of State would one day be able to express their choice in this regard. Speech of Sheikh Sahib to the Constituent Assembly: excerpts:

"We the people of Jammu & Kashmir, Ladakh and the Frontier regions, including Poonch and Chenani Illaqas commonly known as Jammu and Kashmir State, in order to perfect our union in the fullest equality and self-determination, to raise ourselves and our children forever from the abyss of oppression and poverty, degradation and superstition, from medieval darkness and ignorance, into the sunlit valleys of plenty, ruled by freedom, science and honest toil, in worthy participation of the historic resurgence of the peoples of East, and the working masses of the world, and in determination to make this our country a dazzling gem on the snowy bosom of Asia, propose and propound the following constitution of our State."

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"This resolution was passed at the 1944 session of the National Conference in Srinagar. Today, in 1951, embodying aspirations, men, and women from the four corners of the state in this Constituent Assembly have become the repository of its sovereign authority. This Assembly, invested with the authority of a constituent body, will be the fountain-head of basic laws laying the foundation of a just social order and safeguarding the democratic rights of all the citizens of the State."

"After the attainment of complete power by the people, it would have been an appropriate gesture of good will to recognize Maharaja Hari Singh as the first constitutional Head of the State. However, I must say with regret that he has completely forfeited the confidence of every section of the people. His incapacity to adjust himself to changed conditions and his antiquated views on vital problems constitute positive disqualifications for him to hold the high office of a democratic Head of the State. Moreover, his past actions as a ruler have proved that he is not capable of conducting himself with dignity, responsibility, and impartiality. The people still remember with pain and regret his failure to stand by them in times of crisis, and his incapacity to afford protection to a section of his people in Jammu."

"The real character of a State is revealed in its Constitution. The Indian Constitution has set before the country the goal of secular democracy based upon justice, freedom, and equality for all without distinction. This is the bedrock of modern democracy. This should meet the argument that the Muslims of Kashmir cannot have security in India, where the large majority of the population is Hindus. Any unnatural cleavage between religious groups is the legacy of Imperialism, and no modern State can

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afford to encourage artificial division if it is to achieve progress and prosperity. The Indian Constitution has amply and finally repudiated the concept of a religious State, which is a throw back to medievalism, by guaranteeing the equality of rights of all citizens irrespective of their religion, color, caste, and class."

Referring to Pakistan, Sheikh Sahib added: "The most powerful argument which can be advanced in her favor is that Pakistan is a Muslim State, and, big majority of our people being Muslims the State must accede to Pakistan. This claim of being a Muslim State is of course only a camouflage. It is a screen, to dupe the common person so that he may not see clearly that Pakistan is a feudal State in which a clique is trying by these methods to maintain itself in power. In addition to this, the appeal to religion constitutes a sentimental and a wrong approach to the question. Sentiment has its own place in life but often it leads to irrational action. Some argue, as supposedly natural corollary to this, that our annihilation or survival depends on our acceding to Pakistan. Facts have disproved this, right-thinking men would point out that Pakistan is not an organic unity of all the Muslims in this sub- continent. It has on `the contrary, caused the dispersion of the Indian Muslims for whose benefit it was claimed to have been created. There are two Pakistans at least a thousand miles apart from each other. The total population of Western Pakistan, which is contiguous to our State, is hardly 15 million. While the total number of Muslims resident in India is as many as 40 million. As one Muslim is as good as another, the Kashmiri Muslims if they are worried by such considerations should choose the forty millions living in India."

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"Still another factor has to be taken into consideration. Certain tendencies have been asserting themselves in India, which may in the future convert it into a religious State wherein the interests of Muslims will be jeopardized. This would happen if a communal organization had a dominant hand in the Government, and Congress ideals of the equality of all communities were made to give way to religious intolerance. The continued accession of Kashmir to India should, however help in defeating this tendency. From my experience of the last four years, it is my considered judgment that the presence of Kashmir in the Union of India has been the major factor in establishing relations between the Hindus and Muslims of India. Gandhiji was not wrong when he uttered words before his death which paraphrase, "I lift up mine eyes into the hills, from whence cometh my help."

The Assembly set up three committees including the Basic principles committee to establish the basic principals of the state's relationship with centre, which would be needed to prepare the basics from which the larger state constitution for the state would eventually evolve. Mirza Afzal Beg headed this committee while D.P. Dhar, G.L. Dogra and Harbans Singh Azad were appointed as its members. The finalization of Delhi agreement paved the way for the Basics Committee to proceed with their task. However, Sheikh expressed his reluctance initially to Delhi agreement but ultimately accepted it.

Interim report of basic principles committee 1952.

In view of the considerations of the Committee, it was felt that there must be a sense of finality about the decisions concerning the fundamental issues. Accordingly, the Committee

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recommends that: The form of the future constitution of Jammu and Kashmir shall be wholly democratic; The institution of hereditary Ruler ship shall be terminated. The office of the Head of the State shall be elective.

Sd/-

S.M. Abdullah. G.M. Bakshi M.A. Beg ,G.L. Dogra,S.L. Saraf ,D.P. Dhar,Piar Singh , Harbans Singh,Mubarik Shah,G.M. Hamdani,Mir Qasim , Bhagat Ram Sharma,Abdul Gani Goni ,Ram Devi , Moti Ram Baigra,Ram Piara Saraf,Mir Assadullah.

17th November 1952 saw the fulfillment of one of Sheikh's topmost dreams, the constitutional end of a dynastic Dogra rule. It was on this day that Karan Singh took over as the Sadar Riyast, despite his reluctance but under pressure from both Sardar Patel and Pundit Nehru. He thereby ceased to function as Maharaja's regent and put an end to the Dogra dynastic rule over Kashmir.

Sheikh Sahib was going ahead fast with his agenda of agrarian reforms. In his desire to abolish Jagirdhari system sans compensation, he wished to have an exemption limit of 1000 kanals, but M/s Sadiq, Baig and Qassim argued that this limit would leave very little land for distribution to the farmers. It was finally decided to allow landlords to retain only 182 kanals of their choice in addition to the fruit orchards. (One Kanal =605 sq.yards circa.)

The revolutionary step had no parallel in independent India. The entitlement of landowner got further reduced first to 100 kanals and eventually to a measly 35 kanals. The lopsided reform led to proliferation of vast fruit orchids that were exempt from the land reform.

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As generally happens, ground realities do not match the high ideals of great revolutionaries. The comparative infertility of land in Jammu was not borne in mind while fixing the holding limit.What rendered the situation worse was that this revolutionary step contrasted sharply with the food policy followed by the Government under Mirza Afzal Baig's ministry. Afraid of the reaction from urban dwellers the old mujwaza system was enforced with greater vigour. This system entailed forced purchase of a major produce of grain from farmers at very very low prices determined by the Government irrespective of open market realities.During the rule of Dogras, fruit orchids and agricultural lands were held by the court, the Jagirdars,and a class of small and medium landowners known as Chakhdars comprising mostly of Dogra Rajputs and a few Kashmiri Pundits. The tenants were mostly Muslims who worked the lands on crop sharing with landowners on equal half-and-half basis. After coming to power Sheikh Abdullah raised it to 2/3rd part for the tenants. He also set up a Land reform committee but announced that no landholder could hold more than a little more than twenty acres of land even before the committee could announce its conclusions. Surplus lands thus available were vested with the Government for distribution amongst the landless and formation of collective farms. However when it came to taking the physical possession of these lands, it was discovered that much of the surplus lands were already transferred as small holdings to relatives of landowners in collision with the corrupt revenue officers.

The water distribution kuhls (mini canal system) which were earlier maintained by the landowners had become nobody's concern. They gradually fell into utter disrepair resulting in the

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catastrophic results of draught years 1949-51. This was the first but a serious blow dealt to a noble revolutionary idea by a corrupt bureaucracy. The conciliatory boards' setup to provide succor to the debt-ridden peasants did provide some small mercies to the poor peasants. Consumer cooperative societies which proved significantly successful in several states of India became tools for acquiring political clout and means of making money for the politicians and MLAs of Kashmir.The movement died in its infancy itself.

The vested interests who had suffered on this account particularly in Jammu province were not sitting idle. The forcible eviction without compensation of big landlords had created a great heart burning in many people in the country besides the ex-ruling family. Reportedly, they had established good rapport with the Union Home minister and the communal elements of the country. The anti Sheikh lobby had influenced even the staunch supporter of Sheikh Sahib, Pt.Nehru, who got tired of frequent antics by the former.

It was a well- known secret that the Assembly would ratify the land reforms bill under Sheikh Sahib's pressure. According to the pro Jagirdari lobby, his removal from power was the only way out to make the best of a bad bargain. The several addresses by Sheikh Sahib to the Legislative assembly caused a great stir amongst the political circles in Delhi. The intelligence reports on the issue were given due credence resulting in Sheikh Sahib demanding the transfer of two subordinate officers which however was not accepted by the home ministry. The right wing at last was able to influence Pt.Nehru with its propaganda and

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the accompanying political manipulations. These developments led to polarization of Kashmir politics along communal lines. Refer (Testament of Sheikh Abdullah: G.D.Gondeva)

Some of the National Conference leaders including Sheikh Mohammed Abdullah perceived the steps taken to deal with the Jammu communal elements of Praja Parishad invited undue criticism while the steps taken against Muslim communal elements were welcome.

A strong agitation launched by Praja Parishad of Jammu and whole- heartedly supported by Jan Sangh demanded the abolition of State's special status and complete merger with India. The movement's slogan of "one constitution, one President, and one flag" though appealing to certain section of masses, overlooked the ground realities of the state and was in direct contravention of what Sheikh Sahib had been crusading for so long.

With the tacit support of Dogra Rajputs who had lost considerably by land reforms, the agitation made the running of day-to-day administration difficult for Sheikh Sahib. The worst fall out of this agitation however was the disillusionment of Muslims and the emergence of communal pro-Pakistani elements in Kashmir politics. The Jan Sangh politicians failed to appreciate that J&K was the sole predominantly Muslim state that had opted for accession with India under a special status formula. The special status was to reassure Muslim majority against the possibility of becoming just another Muslim minority area of the country. This also would be the guarantee for the survival of a hereditary culture, Kashmiriyat, spanning a period of several centuries.

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The Parishad's demands being unacceptable to Pundit Nehru, they put forth the proposal to merge Jammu province into Indian union and let Kashmir province alone enjoy the special status. This also was unacceptable to Pundit Nehru who felt the step would be construed a betrayal of single nation theory and failure of India's stand against two nation theory. The Praja Parishad agitation took an ugly turn in Jan.1952, when the students protested against flying of the state flag along with the Union tri-color. The wholesale destruction of public properties forced the government to arrest the Parishad leaders including Prem Nath Dogra. This movement against special status to J&K state attracted unexpected support from across the country including the national press.

Pundit Nehru delegated Mr.B.N.Mullick to study the situation, talk to Parishad leaders, and convey to them the necessity of maintaining the special status of the state in view of the matter being under consideration of United Nations. B.N. Mullick claims that he was to convey the message to agitators that special status would be lapsed in due course of time and the state eventually brought at par with other states. (Ref.My years with Nehru: B.N.Mullick)

Sheikh Sahib already had wind of this thinking of the ruling classes in Delhi, doubts of which he expressed in a public speech at R.S. Pura on 19th April.1952. To assuage his feelings Pt. Jawaharlal Nehru in Lok Sabha on August 7, 1952 declared: "Ultimately - I say this with all deference to this Parliament - the decision will be made in the hearts and minds of the men and women of Kashmir; neither in this Parliament, nor in the United Nations nor by anybody else ..."

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However, even this statement failed to clear the atmosphere of distrust that was getting murkier by the day. To worsen the matters further, the JanSangh session held in Kanpur empowered Dr.Shyama Prasad Mukherji to intercede with the central government and get acceptance for the demands of Praja Parishad. The Sikh leader Master Tara Singh also backed the Parishad agitation.

Mr.Mullick in his book writes that Mr.D.P.Dhar and Bhakhshi Ghulam Mohammad objected to his arrival in Jammu to tackle the agitation. However, they relented after Mr.Mullick assured them that his efforts were in no way a reflection about the state government's inefficiency to tackle the situation. After having succeeded in putting an end to the agitation, Mr.Mullick met Bakhshi Ghulam Mohammad and D.P.Dhar. They reportedly congratulated him on his success, but he was given an extremely cold shoulder when he reported the outcome of his efforts to Sheikh Sahib.

According to him Sheikh Sahib expressed extreme distress with the conduct of the ex Dogra ruling class and Praja Parishad for disrupting the smooth functioning of his administration. Mr.Mullick met Mr.D.P.Dhar and Bakhshi Sahib again and expressed his disappointment with Sheikh Sahib's cold treatment. Now both D.P.Dhar and Bhakshi Sahib, Mr.Mullick claims, asked him to report to Pundit ji and tell him that Sheikh wanted to use Parishad agitation as an excuse for going back on his promises and commitments to India.

Adlai Stevenson visited Srinagar in May 1953 for an hour- long meeting with Sheikh Sahib. The atmosphere already saturated with wild rumors, this visit of the American dignitary added fuel to the fire. There were grave misgivings about Sheikh Sahib's

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intentions when New York Times published a map of Kashmir. Suspicion that Sheikh was conspiring with western powers for an independent Kashmir got further credibility when Clement Atlee stated in London that, 'Kashmir should belong neither to India nor to Pakistan but be independent."

The Parishad agitation had further soured the relations based on mutual trust that Sheikh Sahib and Punditji shared. It goes to the credit of Pundit Nehru that he did attempt to repair the damaged relations by inviting Sheikh Sahib to Delhi several times. However, Sheikh Sahib did not pay any heed, probably out of a conviction that further meetings between the two would be meaningless. At last, to break the dead lock, Pundit ji took the initiative and came to Kashmir in May 1953. The mutual talks between the two leaders seemed to have proved meaningless and Punditji returned to Delhi a dejected man at heart. Later he deputed Maulana Azad for talks with Sheikh Sahib, but Sheikh Sahib showed little inclination for talks with Azad. With the result that the later too returned, back to Delhi a frustrated man.

Meanwhile Dr. Shyama Prasad Mukherji sensing that the Parished agitation was about to fizzle out, was keen to escalate the matters. To achieve his aim of polarizing the weakly organized rightist elements of Indian politics, he staged his entry into J&K state without a valid permit as was obligatory for all outsiders at that time. Arrested, and lodged in Chashma Shahi house, he passed away in detention itself on 22 June 1953. This news created a sensation all over India resulting in many rumor mills working overtime.

Wayward rumors carried even a person of Dr. B.C. Roy's caliber away. He was the chief Minister of West Bengal that time and sent a cable to Delhi, which was very critical of Sheikh Sahib. At this time, Pundit Nehru was in London.

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With the changed political scenario, new subtle changes indicative of polarization of the National conference leadership were taking place in Kashmir .M/s D.P. Dhar, Bakhshi Ghulam Mohammad, Maulana Masoodi and Girdhari lal Dogra formed one group, while Mirza Afzal Beg and others formed a second group. Despite the confusion at the top leadership level, the polarization of the groups did not come to surface. Rafi Ahmed Kidwai the central minister wrote to Sheikh Sahib expressing a desire to meet the later. Sheikh Sahib dismissed the request by writing back that any meeting between the two would be futile. Again, Kidwai rang him up requesting a meeting, but Sheikh Sahib candidly expressed his lack of interest in meeting him and even suggested Mr.Kidwai not to come to Kashmir.

Evidently Sheikh Sahib's attitude was getting very rigid causing apprehensions not only in India but also amongst his colleagues. In this context, D.P. Dhar was playing a crucial role. He along with Mr. Kidwai met Pundit Nehru and impressed upon him the fast changing deterioration in Kashmir political scene that called for a strong action. Replying to them, Pundit Nehru mentioned Sheikh Sahib's repeated refusal to come to Delhi for parleys. Further, he told them that Sheikh Sahib had even written him a letter to the effect, "Despite our friendship the time has come when personal relations and mutual friendship will have to be sacrificed for county's good".



Nehru and Sheikh

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Chapter-7

Widening of gulf, polarization of cabinet, Bakshi's consolidation, Saraf's refusal to resign, cabinet revolt, Sheikh Abdullah's arrest.

Some important leaders of National conference including Ghulam MohiDin Kara and Mir Waiz Ghulam Nabi Hamdani started a new party under the banner of Kashmir Political Conference. The party publicly criticized the Government in very strong words and demanded withdrawal of troops from Jammu & Kashmir state to pave way for a plebiscite. This created a political storm that led to arrest of the leaders including Qara, Hamdani and Raghu Nath Vaishnavi. Mr.Qara's exit from the National Conference though not setting the valley on fire did create an atmosphere of mistrust in the top echelons of National Conference. The functioning of the cabinet underwent a sea change.

Sheikh Mohammed Abdullah's indifference:

Sheikh Sahib's full time involvement in the sub continent's power politics and indifference towards everyday matters of state affairs had become apparent to the administrative machinery. The administrative setup inherited from the Maharajas regime had all but collapsed. One can say the state of things as prevailed ought not to have been what it was.

The sources of revenue had dried-up, while the expenses were mounting. Offers of trained and experienced administrative officers from the Union Government rejected out of political suspicions and apprehensions did cost heavily. Kashmir's

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economy was not only stagnant but also deteriorating while India was bursting with industrial and commercial activities. The people's suffering aggravated by the infighting amongst the politicians in power was taking further toll on the administration. It is no exaggeration to state that Sheikh Sahib's six years in power had drawn a complete blank as far as the economic development was concerned.

Sheikh Sahib totally lost interest in every day running of the state and got engrossed thinking of and working for political solutions towards an assured independent existence and survival of Kashmir. On the contrary, Bakshi Ghulam Mohammad's role in the state executive increased noticeably. One could say that Bhakshi steadily elbowed out Sheikh Mohammed Abdullah from the actual running of the administration leaving Sheikh Sahib confused and angry. Several other ministers gradually loosing sight of their real goals succumbed to the trappings of office and developed a negative outlook. This affected the rest of the cabinet. Ministers lost sight of their common aim as also their spirit of teamwork .The pursuits for glitters of ministerial berth became their prime objective. An atmosphere of pessimism and negativtivity enveloped the State.The wheels of the noble revolution had already started wobbling!

Clearly, under stress, Sheikh Sahib was getting capricious. On 20th, Jan.1953 Sheikh Sahib addressing a function in Madras, was asked a direct question whether Kashmiri people would opt for India if a plebiscite were held under the aegis of UN. In his reply, Sheikh stressed the need for an honest and just solution and his efforts would remain directed towards that purpose and

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even if he lost, he would consider the loss to be for a good cause. He further added that Kashmiris would continue to be mistrustful so long as the communal elements of Jammu continued to support organizations like Praja Parishad.

The roundabout vague statement of his became a subject of wild speculations in the press; every one interpreted it differently but with the cumulative effect of further straining the relations between Sheikh Sahib and central leadership. Some political analysts however expressed that it would be wrong to assume that Sheikh Sahib was trying to make Kashmir a part of Pakistan but he was only trying to strengthen his stand on the special status of Kashmir.

On 24 July 1953, Sheikh Sahib while addressing the National conference workers expressed dissatisfaction about recruitment of Muslims into the departments of defense, post, and telegraph. He demanded to know in what proportion the central Government in these services had appointed Muslims and Non Muslims during the proceeding six years. Speaking further on 26th Jan.1953 to National Conference workers on the same subject he said, "We demand justice for all. Why did Kashmiris fight against Pakistan? They were confident their interests were safe with India. If the edifice of trust is damaged and destroyed willfully what can I do?" "Pakistan tried to make Kashmiris slaves by force of arms. We preferred to strengthen our relations with India based on similarity of outlook and matching of principles. I am being accused of betraying the promises I had made....I wish to say that last year's communal events have damaged these relations (with India) and we are in no way responsible for these negative developments.....The accession of

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Kashmir with India has never been questioned by us but it has come under fire from certain sections in the Indian polity. Jan Sangh, Praja Parishad and other communal organizations have largely been responsible for damaging our mutual trust (with India)."

Mirza Afzal Beg, Mubarak Shah and Ghulam Mohi Din Hamdani also voiced the political apprehensions of Sheikh Sahib. A situation already turned murky was compounded further by events like Mr.Adlai Stevenson's visit, the statement of Clement Atlee in London and the publication by New York Times of a map of Kashmir conveying a subtle hint for its possible independence, all combined to paint a dark conspiratorial picture of Sheikh Mohammed Abdullah and his politics.

On the other hand, Bakhshi Ghulam Mohammad and his group getting disturbed by the turn of events were allegedly keeping the centre informed about the developments and the so-called conspiracies of Sheikh and his group, detrimental to the relations of Kashmir with India. The Praja Parishad leader P.N.Dogra stated on 19th July.1953 that Bakhshi Sahib had assured him the removal of all the "obstacles" in the J&K state relations with the centre, before Oct.1953.

In an effort to prevent possibility of any misunderstanding cropping up between him and Sheikh Sahib, Bakhshi Ghulam Mohammed declared Sheikh to be the 6th.article of his [Muslim] faith. However, reports true or false poured in of his frequent dialogues with Praja Parishad leadership with a view to get rid of Sheikh Sahib's rule. The authencity of these reports remain unconfirmed until date.

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The anti Sheikh Abdullah stance of press in India touched new heights in 1953 and the confusion created in political circles rendered the functioning of the state machinery ineffective. To end the state of uncertainty Sheikh Abdullah called for a session of National Conference working committee on 24th and 25th August 1953 with a view to present his programme of action to his people. The session however did not materialize.

Nearly nineteen years later, on 9th. August 1972, Sheikh Sahib himself spoke about the events of early August 1953. Addressing the National conference workers at Mujahid Manzil he said, "When in 1947 we acceded to India for the three matters concerning Defense, Foreign affairs and transport-communications, we placed trust on the high principles of Indian democracy, however our trust turned out to be baseless. India's intentions vis a vis Kashmir changed and I, fearing betrayal, desisted from expressing my inner conflicts because of our domestic conflicts and tensions. I was aware even before 9th Aug.1953 that Bakshi Ghulam Mohammad and his colleagues wished to have me imprisoned. During a meeting with my colleagues at Mujahid Manzil, I had even offered to quit if they felt me to be an impediment to their objectives. Bakhshi Ghulam Mohammad, Mr. Baig and Maulana Masoodi attended the meeting besides others. I even offered to quit not only the Government but also even Kashmir itself. Bakhshi Ghulam Mohammad and Ghulam Mohammad Sadiq turned into agents of India. For power and wealth they turned traitors to the people."

The committee for basic rights met in June to consider and give proper legal shape to the relationship with India. Differences

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came to surface when Sheikh Sahib insisted on total internal autonomy while other leaders had different opinions. They expressed the need for incorporation of a much broader area of accession. Mr. B.N. Mullick writes, "Bakshi Ghulam Mohammad, D.P. Dhar, Gh. Mohammad Sadiq, Girdharilal Dogra were trying hard to have a broad based accession while Sheikh Sahib and some of his colleagues insisted on limiting the terms of accession to only three spheres".

The misunderstandings and doubts generated by these differences in the Basics committee poisoned the political atmosphere not only of Kashmir but also of the whole country. It was under these tense circumstances that the central Government called Yuvraj Karan Singh to Delhi to be briefed on future course of action.

Split in National conference leadership.

Matters came to a head when Sheikh Sahib demanded resignation of his cabinet colleague Shyam Lal Saraf but the later refused to oblige him. General Secretary of National conference Maulana Masoodi opposed this demand of Sheikh Sahib. Followed by an open revolt; four senior most cabinet colleagues of Sheikh Sahib presented him with a memorandum wherein he was criticized for abandoning the principles, which formed the basis for formation of the Government. The signatories to the memorandum included, Bakhshi Ghulam Mohammad, Ghulam Mohammad Sadiq, Girdhari lal Dogra and Shyam lal Saraf. Joint memorandum addressed to Sheikh Sahib (and submitted to Sadar Riyast).

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"The events of the last few months have, in particular, thrown the state in the midst of a severe crisis. The repercussions of this crisis are bound to be serious and far-reaching. We regret to state that you, as the head of the Government, have not only failed to take note of the situation but have, by your words and deeds accentuated the tension. You have consistently refused to acknowledge responsibilities that devolve on you as the Prime Minister of the State by not following the declared policies that form the basis of the Government. You have tended to act in a manner that has generated uncertainty, suspense, and doubt in the minds of the people of the State in general and of those in Jammu and Ladakh in particular.

All these factors have combined to strengthen the disruptionist forces seeking the disintegration of the State. It is, therefore, with great pain that we have to inform you of our conclusion that the Cabinet, constituted as it is at present and lacking as it does the unity of purpose and action, has lost the confidence of the people in its ability to give them a clean, efficient, and healthy administration."

The arrest of Sheikh Abdullah; countdown and the aftermath

The accelerated pace of events after the public denunciation of Sheikh Sahib's policies by his cabinet colleagues ultimately leading to his arrest have been reported by Shri.B.N.Mullick in his book that is summarized as below:

To face the defiance of his colleague Mr.Saraf, opposition of his cabinet and the General Secretary of National conference Maulana Mohammad Masoodi, Sheikh Sahib had two options; one was to approach the Sadar Riyast and have the defiant

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minister dismissed, an option, which might not have materialized, to his satisfaction the other was to dismiss the Sadar Riyast himself and declare himself as the ultimate chief of administration.

In the evening of 6th. August 1953, Sadar Riyast dismissed Sheikh Sahib and invited Bakhshi Ghulam Mohammed to take over as the Prime Minster of the state. At 11pm, Mr.Mullick got a call from Mr.A.P.Jain asking for Pt.Nehru who at that time was attending a function at Hyderabad House in company of Rafi Ahmmad Kidwai. On being informed of the developments Pt.Nehru stayed back but sent Mr.Kidwai along with Mr.Mullick to attend to the emergency. Kidwai Sahib asked to be connected to Mr.Mehra stationed at Srinagar.

Mr. Mehra informed them that Sheikh Sahib had left for Tangamarg and that Bakhshi Sahib was reluctant to accept the new position pending confirmation of Sheikh Abdullah's arrest. Meanwhile in Delhi Pt.Nehru also joined Mr.Kidwai and group and all were in contact with A.P.Jain and Mehra both at Srinagar. Kidwai Sahib ordered A.P.Jain to remain in constant contact with Bakhshi Gh.Mohammad. At midnight, Sadar Riyast issued the orders for arrest of Sheikh Mohammed Abdullah. Pundit Nehru and Kidwai Sahib were getting tense that Bakhshi had not accepted the new post even after the arrest orders of Sheikh Sahib were issued. The refusal of Bakhshi would have meant the continuation of Sadar Riyasat's rule, which the world would interpret and condemn as continuation of Dogra dynastic rule.

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Mr. Mehra at Srinagar directed to spend the entire night with Bakhshi Sahib, was to keep him in constant touch with the developments taking place. Convinced about dispatch of a police party to Tangmarg, for arrest of Sheikh Sahib at 4 am; Bakhshi Sahib left for Raj Bhawan to take oath of office. I.G.P Mehra reported at 4.30 am that D.I.G police Mr.L.D.Thakur has left for Tangmarg along with a party of militia and police who arrested Sheikh Sahib and brought him to Udhampur prison under police escort. Also imprisoned on the same day were Mirza Afzal Beg and Sufi Mohammad Akbar.

Mr.Y.D.Gandeva in his book "Testament of Sheikh Abdullah" has written that Pt.Nehru was unhappy over Sheikh's arrest. Many tales had been floated to convince Pt.Nehru to permit the arrest. One that got maximum publicity was the story about Sheikh Sahib getting massive funds from Pakistan and that he had gone to Tangmarg with the intention of contacting some Pakistani agents".

9th August 1953 will go down in the history of Kashmir as another mournful day when people became victims of indiscriminate shooting by police and militia. As the news of Sheikh Sahib's dismissal and arrest spread in the valley, people came on the streets to express their distress and support for their leader. A big mob of angry people marched towards the official residence of Bakhshi Sahib. Fire was opened at the mass of people shouting anti Bakhshi slogans when they got near to his residence. Many people were shot. Several other areas witnessed police firing. Several militiamen whose loyalties were suspect had been confined to their barracks. The disturbances lasted one month. Transport was totally paralyzed. Firing took

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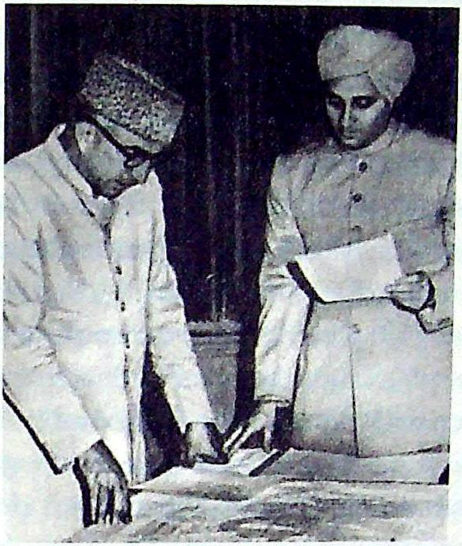
place in Kishtwar town too. Official estimates put the number of causalities at sixty. However, Sheikh Sahib claimed that those killed, and buried in unmarked graves during these disturbances to be more than a thousand including women.

D.P.Dhar and IGP Mehra were overseeing the operation of suppressing the movement. Even private houses were requisitioned for imprisonment of people, as the prisons got full. Amongst the people imprisoned were many area committee members, National conference workers, and leaders of the freedom movement. Some of the arrested included top personalities of Kashmir like M/s Kashyap Bandhu, Controller civil supplies Ghulam Mohammad shah, Registrar of J&K university Ghulam Ahmmad Ashai, Director Information Mr.Janki Nath Zutshi, Shyam lal koul Waat etc.

The legality of the operation of Sheikh's arrest became a hot topic of discussion amongst the intelligentsia of the country. A democratic system necessitated calling an extra ordinary session of the legislative assembly, which could discuss and vote on a movement of No confidence against the Sheikh. Even a resolution of the National conference general council could have taken a decision that would have lent legality to the entire exercise. Lack of observation of any such procedure, the decision to remove Sheikh never gained any moral respectability, and to counter such sentiments, fabricated stories of Sheikh Sahib were given great publicity. The story that gained maximum publicity was the alleged plot of Sheikh Sahib to declare an independent country with himself as the Sultan. The chairperson of the Legislative Assembly, Ghulam Mohammad Sadiq even claimed to be in possession of documents that

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exposed Sheikh Sahib's intentions and his conspiracies with some foreign nations. He was accused to have conspired with the U.S.A's Republican Leader Adlai Stevenson to this effect.



Bakhshi G.Mohammed with Dr. Karan Singh

It is interesting to note that it was not Sheikh who threatened backtracking on the accession to India first, in fact Maharaja Hari Singh in his letter to Sardar Patel held the threat much earlier in 1948.Some excerpts from his letter to Sardar Patel reveal this starling fact.

THE PALACE JAMMU TAWI

31 January 1948

My Dear Sardar Patel, since your departure from Jammu, I have been watching developments here and outside. News from New York (has) been very depressing. Several thoughts have been turning round my mind and I have decided to lay them before you

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for sympathetic consideration and friendly advice. I do not wish to take any step except with your agreement. The military situation as you know has been quite depressing since the arrival of Indian troops. Except the first gains in the Kashmir Valley, there has been a debit balance throughout as far as achievements are concerned. The Indian troops arrived in the Valley on 27th October. At that time, we were in possession of about 3/4th of Poonch and the whole of Mirpur district. We had by then lost only small bits of Poonch in addition, to Muzaffarabad district. After the recapture of Baramulla and Uri there has been a standstill. Two months have passed and the Indian troops are still at Uri. They attempted a venture to the town of Poonch and though they reached, it was at great cost and the road was eventually lost. The State troops held the Poonch jagir, inch by inch we had to withdraw and eventually lost the whole of the Jagir except the besieged town itself where about 40,000 people are trapped along with four battalions (3 State and 1 Indian). The situation is by no means satisfactory. ... During the last two months, we have lost Mangla, Alebeg, Gurdwara and the town of Mirpur, the town of Bhimber and the villages of Deva and Battala, the town of Rajouri and the whole of the area adjoining Chhamb and Noshera. Jhangar, a key-place for both Mirpur and Kotli, was lost after suffering a defeat. These defeats have been a heavy blow to us and have undermined the prestige of the Indian forces, not a single town has so far been recovered by the Indian troops. The people judge an army from results and not from propaganda carried on about it. On the Kathua-Sialkot border attacks have intensified. Every day there is one raid or another. A number of villages have been burnt, people have been looted, women abducted and there have been killings also. The result is that all the border villages have been vacated and we

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have about 70,000 to 80,000 refugees in the city of Jammu. Crops, houses, and valuables have been lost. Most of the people are also now vacating Jammu and its suburbs and are going to East Punjab. The situation, therefore, is worsening everyday.... In the situation, therefore, my position as Ruler has become very anomalous and one of great perplexity. People in the state continue sending me telegrams and asking for help. Our civil administration is now in the hands of the National Conference and military operations in the hands of the Indian Union. I have no voice or power on either the civil or the military side. The State forces are under the Indian Army Commander. ...People continue to approach me every day and still think that it lies in my power to give them relief and redress. ... Apart from the military situation the reference to the UNO and the proceedings that are hanging fire there, are causing great uncertainty and perplexity not only to me but to every Hindu and Sikh in the State as well as to those who belong to the National Conference. .. You know I definitely acceded to the Indian Union with the idea that the Union will not let us down and the state would remain acceded to the Union and my position and that of my dynasty would remain secure. It was for this reason that I accepted the advice of the Indian Union in the matter of internal administration. If we have to go to Pakistan it was wholly unnecessary to accede to India or to mould the internal administration according to the desire of the Indian Union. I feel that the internal administration or the question of accession is wholly foreign to the jurisdiction of the Security Council.... Sometimes I feel that I should withdraw the accession that I have made to the Indian Union. The Union only provisionally accepted the accession and if the Union cannot recover back our territory and is going eventually to agree to the decision of the Security

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Council which may result in handing us over to Pakistan then there is no point in sticking to the accession of the State to the Indian Union. For the time being, it may be possible to have better terms from Pakistan, but that is immaterial because eventually it would mean an end of the dynasty and end of the Hindus and Sikhs in the State. There is an alternative possible for me and that is to withdraw the accession and that may kill the reference to the UNO because the Indian Union will have no right to continue the proceedings before the Council if the accession is withdrawn. The result may be a return to the position the State held before the accession. The difficulty in that situation, however, will be that the Indian troops cannot be maintained in the State except as volunteers to help the State. I am prepared to take over command of my own forces along with the forces of the Indian Army as volunteers to help the State. I am prepared to lead my army personally and to command, if the Indian Union agrees . ..I am tired of my present life and it is much better to die fighting than watch helplessly the heartbreaking misery of my people. So far as the internal political situation is concerned I have left the matter entirely to you personally. I am prepared to be a constitutional ruler of the state and when a new constitution is framed I am quite willing to give responsible government, but I am not prepared to go beyond the Mysore model because I am not satisfied that the leaders of the National Conference are for the time being very fit administrators or command the confidence of the Hindus and Sikhs and even of a large section of the Muslims. I must therefore keep certain reserved powers of which you are already aware and I must have a Dewan of my free choice as a member of the Cabinet and possibly as President. Another alternative that strikes me is that if I can do nothing I should leave the State (short of abdication) and reside outside so

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that people do not think that I can do anything for them. For their grievances, they can hold the civil administration responsible or the Indian forces that are in charge of the defence of the State. The responsibility will then clearly be either of the Indian Union or of the Administration of Sheikh Abdullah. If there is any criticism those responsible can have it and the responsibility for the suffering of the people will not be mine. Of course, I well anticipate that as people started saying when I left Kashmir only on Mr. Menon's advice that I had run away from Srinagar they will say that I have left them in their hour of misery, but it is no use remaining in a position where one can do nothing merely to avoid criticism. Of course, if I go out of the State I will have to take the public into confidence and tell them the reasons why I am going out. The third alternative in the situation that has arisen is that the Indian Dominion discharges its duty on the military side effectively and makes an all-out effort to stop the raids from Pakistan and to drive out of the state not only the raiders but also all rebels. ..I have mentioned all that I have been thinking about to you and this may be treated as a secret and private letter. The object of writing this is to place all my feelings, right or wrong, foolish or wise, before you so that you may be in full possession of the situation and may be able to advise me properly. I am sending this letter by hand of a special messenger and I hope you will kindly send me an early reply so that I may be well guided in this hour of crisis and distress.

With kindest regards and best wishes,

Yours sincerely,

HARI SINGH
(Source: Sardar Patel's correspondence)

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Patel's reaction to the Maharaja was muted as compared to the way he reacted to the Sheikh when the later spoke of independence. However, then independence had not a chance, Pakistan opposed it. The letter also reveals how ignorant the Maharaja Sahib was about ground realities. The Poonch position best described by a Pakistani military source states:

"The first major strategic success in 1948 for the Indian side was the final relief of Poonch. Poonch had been besieged by Azad militia and tribals since November 1947 and later since May 1948 Pakistan Army's 25 Brigade had joined these forces. Two Kashmir State Force battalions and one regular Indian Army battalion which had managed to break through the siege from Uri Poonch axis constituted the 101 Indian Brigade holding Poonch. The Indians regularly replenished Poonch by air till September 1948 since they could land Dakotas at the airstrip or airdrop supplies" (Major (Retd) A.A Kabir)

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Book-2

Post Sheikh Mohammed Abdullah's arrest

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Chapter-8

Nehru-Begra talks, Bhutto on Pak military block alliance, Khruschev and Bulganin's Kashmir visit, release and rearrest of Sheikh and Baig, plebiscite front, Kamraj plan, Mo-e-Muqadas

The midnight arrest of Sheikh Sahib created a stir in international capitals, besides providing Pakistan with chance for a volte-face. Instead of portraying Sheikh as an enemy of Kashmiris, and a traitor in the most derogatory terms, overnight he was projected as a friend of Pakistan, a hero of Kashmir, and a patriot of first order. On the other hand, Sheikh Abdullah the patriot of yesterday came to be branded now as an unreliable person and an enemy of the Indian nation.

The first session of the Assembly after the events of 9th. August 1953 was a tense affair for the new Government. For the session called on 1st.Oct, 1953 only 60 members out of seventy-five members showed up. The authorities eventually learnt that twelve of these absentee members had prepared a memorandum for presenting to the Assembly. The memorandum reportedly was critical of Yuvraj Karan Singh for removal of Sheikh Sahib by illegal means. The ruling party saw to it that the memorandum never reached the Assembly. However, members demanded a chance be given to Sheikh Sahib to clear the allegations against him in the house. Many Assembly members succumbed to pressure or temptations presented to them but others who refused to endorse the action against Sheikh Sahib were arrested.

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In late august 1953, Pakistani Prime Minister Mohammad Ali Bogra met Pt. Nehru in Delhi. After protracted negotiations, both agreed to hold plebiscite on zonal basis in the state. The UN had appointed Admiral Nimitz to supervise the plebiscite in Kashmir. In their mutual discussions both the Prime ministers agreed that the plebiscite administrator must be from any small country free and independent of the big powers involved in a cold war. USA pressurized the Pakistani Government to continue Admiral Nimitz as the overall supervisor for the plebiscite. Consequently, in deference to American wishes the Pakistani Cabinet refused to accept the appointment of a plebiscite administrator from a nonaligned neutral nation, resulting in the break down and abandonment of the plebiscite agreement reached between the two countries of India and Pakistan.

Z.A. Bhutto on Pakistani stand in UN

The rejection of plebiscite terms described as a devastating blunder on part of Pakistan Government by no less a person than Zulfikar Bhutto himself, was undoing of what would have emerged the best of the solutions after protracted negotiations. Commenting on the international political developments, which had direct bearings on Kashmir issue, late Mr. Bhutto has pointed out the result of Pakistan joining the military alliances like SEATO and CENTO sponsored by the western alliances. According to him, Soviet Union had initially supported the plebiscite in Kashmir before Pakistan joined the American military block. The fact that Pakistan became a member of American sponsored military alliances led to apprehensions by both China and USSR.

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Pundit Nehru reacting strongly to these military alignments felt that Pakistan was placing more reliance on military might than on the will of people to determine the fate of Kashmir. It was only after Pakistan had become a military ally of USA that Russia vetoed the resolution in UN on Kashmir. Further, Mr. Bhutto added, that despite awareness of Russian stand, it was stupid for Pakistani authorities to raise the Kashmir question repeatedly in UN. Pakistan had committed a very big blunder by rejecting the proposals about appointment of plebiscite administrator but for which the position of the matter would have been entirely different.

Matters precipitated further when in 1955 the Soviet Prime Minister Bulganin and Communist party chief Mr.Khruschev visited Kashmir as part of their tour of India. Both of them were accorded a memorable river procession welcome, witnessed by the foreign press besides the multitudes of Kashmiris who mobbed the banks of river Jhelum and the bridges over it. (River processions. Appendix-1)

The irrepressible Mr. Khruschev soon after landing at Srinagar airport told the press that he would have considered his tour of India incomplete had he not come to this part of India. Further, said Mr.Khruschev: "Kashmir is a part of India and people of Kashmir having acceded to India have pronounced their final decision".Following this statement the two blocks, the communist bloc and capitalist bloc took different and contradictory positions on Kashmir issue. Kashmir became a subject of cold war politics when Pakistan finalized military alliances with the West.Henceforth Soviet Union repeatedly vetoed any moves made by western block about Kashmir.

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Mr. Jarring was appointed by UN to take stock of position in Kashmir in 1957. Following his visit to the state and line of control, he reported that the situation in the state was totally changed and that both India and Pakistan had established strong presence in areas under their respective control.

Era of Bhakshi Ghulam Mohammad.

The armed invasion on Kashmir and the resultant Indian army's action resulted in closure of all traditional routes, roads, and mountain passes used for trade and commerce. Kashmir had been importing all its essential commodities via these routes that passed through Pakistan and had suddenly become inaccessible after 1947.Because of the changed conditions, giving rise to untold hardships to the people of the valley who had even to forego the luxury of a pinch of salt with their food during the winter of 19 47/48. One could put up with lack of sugar and cloth but facing a salt famine was a very different story.

The less used route via Banihal pass was now the lifeline for Kashmir. Trade and commerce struggled to adjust to the new and different conditions. People had expected an early settlement that would sort out this untenable situation, but it was a hope that did not materialize even after six long years and by that time Sheikh Sahib was no more in power.

After coming to power Bakhshi Sahib was determined to win over the populace in his favor, believing that money speaks louder than anything else does, he resorted to various means including ethically questionable ones, to achieve this goal. Lacking the charisma of Sheikh to lead and gain mass popularity amongst the people he took recourse to debatable means of influencing people.

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An old system called Mujwaza under which farmers were obliged to surrender a part of their produce to the state, was abolished by Bakhshi Sahib. This did benefit the farmers greatly, but soon it became apparent that there was very little grain at the disposal of the state for distribution at fair price shops in the cities. For winning over the urban populations, Bakhshi Sahib started distribution at state subsidized rates. The ballooning subsidy bill at that time amounted to about Rs.10 million (one crore). Other popular measures included increased employment for state jobs and introduction of permit system for most of the commercial activities that amounted to grant of monopolies. In order to buy loyalties from influential people, opinion makers and political opponents, he liberally issued highly lucrative contracts for public works and forests to all such people.

Political considerations now determined the appointments to top posts rather than considerations of merit. Seeking public support for the ruling party by employing carrot and stick principle became a matter of state policy. The prolonged application of this system had severe adverse affects on the society. A society that had always upheld the lofty morals of honest hard work now found emergence and proliferation of a different culture that worshipped accumulation of wealth and power. Corruption and misuse of power became rampant as it percolated from upper echelons downwards. Even Bakhshi Sahib himself adopted an autocratic attitude towards the running of administration. Friction arose between him and Maulana Masoodi, which resulted in the removal of Maulana from the high office of National Conference. Bakhshi's own brother Bhakshi Abdul Rashid replaced him.

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Wielding control of both the Government and the party, the brothers were perceived to have become arrogant in their attitude towards their Cabinet colleagues. Bakshi Abdul Rashid though nominally the General Secretary of National Conference became the de facto chief administrator of the state. The autocratic behavior of the rulers was imitated even by lower rungs of the government, resulting in wide spread culture of sycophancy and corruption. To broaden his follower base, Bakhshi Sahib hobnobbed with and brought into his camp ex-big landlords, loan sharks, and other powerful elements of society who were considered to be thriving on exploitation of people. The ruling caucus thus formed did more damage than good for the people.

The will to stand for their rights though not completely annihilated did dampen even amongst the people of principle. Instead of using the funds from centre to develop a self-generating and a self-reliant economy the funds were frittered away on projects of little consequence. Achieving little, despite massive funds flowing from the centre for rejuvenation of the state economy most found their way into creation of a super neo rich class through irregular and corrupt means. The gap between the very rich and very poor widened, resulting in the fast dwindling middle class of the population.

The results not only affected the economy but a catharsis took place in the cultural outlook of the society. Growth if any had slowed down,unemployment graph was shooting up and the gap between the very rich and the very poor was widening resulting in ever shrinking middle class.The pity is that the establishment of a capitalist society failed to evolve the beneficial aspect of

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capitalism. The concentration of capital, the correct application of funds, and well-organised capital formation could have ushered Kashmir into an era of industrialization. Nevertheless, the neo rich class of feudalistic origin remained unchanged; its medieval feudal attitude deprived the people of the beneficial influence of a modern capitalist society, glued as it was to an agricultural economy bereft of an industrial or a modern commercial culture.

To worsen the matters the persons elected to the new assembly behaved like the Kulaks (Jagirdars) of yore in their respective constituencies. They could brazenly pressurize even the senior most government officers of their areas to get jobs done, as they desired, even in the most irregular fashions. Toeing the official line was the easier course left to honest administrators. The balm of corruption silenced any qualms of their conscience.

The numbers of favor seekers kept on swelling, putting an ever-increasing pressure on the resources available. In the beginning, the centre happily obliged the state but when the demands kept increasing rapidly, the centre felt itself in a quandary. Testing the sustainability quotient of the economic policy followed in J&K state, became a matter of prime concern to Delhi. The question on every one's lips both inside as well outside the state was where was the money going.

The sense of dependence on Centre's doles wiped clean any sense of self-reliance that the people of state had. In fact, the virus of corruption had crept into Kashmir administration much earlier, even during Sheikh Sahib's period of indifference towards administration. A drift towards misrule and corruption

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marked the deviation of National Conference from its original ideals.During that unfortunate period, the administrators from the ministers downwards all focused on distribution of the spoils of office. Washing their dirty linen in public had become a regular habit of the big politicians. Unmindful of all this happening right under his nose, was Sheikh Sahib absorbed in his own intellectual pursuits of international politics that would make Kashmir a strong and politically sound entity on the world map.

Many years later, Mohammed Shafi Qureshi, President of PCC commenting on this period said in June 1989: "The Sheikh exploited the people of the state for personal gains. A few families have, through corrupt practices cornered all the wealth of the State." The comments though uncharitable as far as Sheikh goes, did however contain a germ of truth regarding the birth of the demon of large-scale corruption in the State.The Bakhshi style of running the administration caused cabinet ministers like Ghulam Mohammad Sadiq, D.P. Dhar and Mir Qasim to be rendered redundant. In public opinion, they assumed the status of figureheads during this period of autocratic Bhakhshi rule, tagged as Bakhshi Bros Inc. by the public at large.

The very purpose of bringing Bakhshi Ghulam Mohammad as the C.M of the state was to broaden the spheres of accession with India. After the election of a new Assembly in 1957, most of the members of the old assembly were re- elected. Police services and revenue department's amalgamation with the centre was followed by extension of Central Election commission's jurisdiction to the J&K state. Reformation of the original committees designated for formation of fundamental rights carried out with inclusion of new members, more amenable to

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the Government wishes, proved successful in its purpose.The extension of the Supreme Court's jurisdiction over J&K state followed central election commission's jurisdiction over the state. These steps constituted a big concession and amendment of the originally agreed terms of accession.

Bakhshi Sahib's reasons to allow all these concessions are not easy to comprehend. The opinion that he did so only to strengthen his hold over the state administration seems out of context. Though these were the antithesis of Sheikh Sahib's concept of internal autonomy, the newly formed committees on the issue of basic rights had opened the path to the unrestrained merger with India and negated the strong rigid stand taken by Sheikh Sahib on these issues.

Release and arrests of Sheikh and Baig.

Released from prison in 1954 in view of his ill health Baig Sahib went to Delhi for consultations and discussions with several politicians after studying the changed conditions prevalent in the state. Subsequently, he established a party in 1955 under the name of Plebiscite front. The front demanded holding of plebiscite and gained very high popularity amongst the people. The disturbances caused by the front led to arrest of Baig Sahib again in 1956.

Pt.Nehru had expressed his displeasure about the prolonged imprisonment of Sheikh Sahib and his associates without the benefit of trial on several occasions. Apparently, he had found ways for protracted negotiations with Sheikh Sahib even when the later was in prison. In contrast to Pt.Nehru's opinion that Sheikh's problem was a political problem, Bakhshi Sahib and

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his senior cabinet colleagues viewed the issue as law and order matter. However Pt.Nehru's will prevailed and Sheikh Sahib was released from prison in Jan. 1958.

The welcome accorded to Sheikh Sahib during his road journey via Banihal lacks a parallel in history of Kashmir. The welcome he got in Srinagar after having undergone imprisonment for four years and a half was thrilling to say the least.

Back in Kashmir he got busy addressing dozens of public rallies in which he invariably expressed his anger and anguish against both the state as well as the Central Governments. His activities coupled with possibilities of Nehru, Sheikh getting together again was a matter of serious concern to Bakhshi Sahib, and he expressed his apprehensions of Sheikh Sahib coming back to power by use of force.

On17th. January 1958, Sheikh Sahib cancelled his earlier declared programme of addressing a public rally at Patharmasjid and shifted his venue to Hazratbal. Originally, the public meeting was to be held at Patthar masjid, which is situated in the vicinity of Mujahid Manzil the National Conference H.Q. Having received reports about the heavy deployment of police and militia there in great strength, Sheikh Sahib sensed trouble and anxious to avoid a bloody clash shifted the venue of his address to Hazratbal.

In Delhi the anti -Sheikh lobby and in Kashmir Bakhshi Sahib, both were getting jittery watching the unabated mass popularity of Sheikh Sahib. The possibilities of Nehru- Sheikh rapprochement seemed to be a certain possibility, rattling the parties in power. To forestall such an eventuality drastic

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measures were called for and this led to Sheikh Sahib's rearrest on 29th May 1958 under the pretext that he had been conspiring with Pakistan against the country. This was a departure from the earlier allegation that Sheikh was guilty of conspiracy with foreign imperialist powers at the time of his earlier arrest.

Mridula Sarabhai

A strong pro-Abdullah lobby organized well enough to counter the anti Sheikh lobby and express effectively its resentment against his arrest had been established and made its presence felt in Delhi. Outstanding amongst them was the role-played by Ms.Mridulla Behn Sarabhai of Ahmedabad, Gujarat. She openly held the Intelligence bureau responsible for the unjust and uncalled for arrest of Sheikh Sahib. Consequently, a vitriolic propaganda was unleashed against her, accusing her to have engineered the escape to Pakistan of one, Peer Maqbool Geelani.

Mridula Sarabhai was born (1911) in Ahmedabad to an affluent industrialist family. One of the eight children of Ambalal Sarabhai and sister of famous physicist Vikram Sarabhai, Mridula came under the influence of Mahatma Gandhi at an early age. She participated in the historical Salt Satyagraha, and got involved in the Indian Independence Movement. A dedicated member of the Congress but a rebel at heart, she did not hesitate to express her disapproval about the attitudes of the Congressmen not even sparing the all-dominating Nehru when Nehru took a stand against appointing a woman to the Working Committee. Mridula put it on record that she was deeply disappointed and pained by Nehru's stand

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Ms.Sarabhai with Gandhiji

The role played by this daring lady in attempts to get Sheikh Sahib exonerated of wild and baseless charges has unfortunately found disproportionately much lower exposure in the media than it deserved. However it is pertinent to get better acquaintance to this earliest of Gandhi followers and champions of feminine rights who had a clear perception of Kashmir issue right from its nascent stages.

Mridula Sarabhai had worked all her life for communal harmony and for the protection of minorities during riots. When Sheikh Abdullah, then Prime Minister of Kashmir was arrested Mridula protested against the Government asserting that Sheikh Sahib was the only real, popular leader of Kashmir and it would be both politically practical and morally correct for the Government of India to support him rather than put him in jail.

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Despite the anger her stand generated in the Delhi power corridors, Mridula devoted herself to Kashmir and stood by Sheikh Abdullah and his supporters even when they were accused of treason. As a result, she was detained in Tihar Jail under Preventive Detention Act. Later, she was placed under house detention in her home in Ahmedabad. It is an irony of Indian polity that of all the women who played crucial part in the freedom struggle, Mridula was among the very few who did not hold any high office after Independence. She breathed her last in October 1974.



Mridulla Behn with Gandhi ji and Khan Abdul Ghaffar Khan.

The case filled against Sheikh Sahib and others under the State's Ranbir panel code article 121-a and 120-b alleged that:

Arrested on 9th.August,the followers and relatives of Sheikh Mohammad Abdullah indulged in violent and unlawful acts. Failing to subvert the Government by adopting violent acts, the accused started a hate campaign against the state, which aimed at inciting people against India. The main persons accused of these charges were: Sheikh Mohd. Abdullah, Begum Abdullah,

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Ghulam Hassan Kanth, Khwaja Ali Shah and his sister Syeda Begum besides many other National conference workers. They were also accused of having established a war council, which besides printing and circulating inflammatory and subversive pamphlets, had even planned assassination of Bakhshi Ghulam Mohammed.

Begum Abdullah was alleged to have liaised with Pakistan and sent a messenger of hers to Pakistan who contacted one Major Asghar Ali head of the Pakistan intelligence. This was followed by regular correspondence between the accused Begum Abdullah and the Pakistani intelligence chief. Begum's messenger to Pakistan was arrested.

Subsequently Begum sought the permission and was allowed to spend time with her husband in the prison where she spent several days presumably briefing Sheikh Sahib about her alleged negotiations with Pakistan. Several articles written in Pakistan with a view to defame India and to incite the people against the state Government were printed, published and circulated with the efforts of various accused. According to the prosecution Mirza Afzal Baig when released on health grounds, following the instructions of Sheikh Abdullah changed the name of War Council to Plebiscite Front.

Baig Sahib was also charged with having met one Sazawal Khan a Pakistani intelligence officer at his residence following which the Plebiscite Front became a recipient of financial aid from Pakistan. Arms and ammunition supplies from Pakistan received at Yus Marg by the accused, followed. In addition to these charges, they were also accused and held responsible for various blasts in the state that resulted in loss of several lives.

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Nageshwari Prasad was the prosecuting attorney on behalf of the State. Three hundred documents of the prosecution till June 1960 presented two hundred twenty nine witnesses. Initially Sheikh Sahib was not included in the list of accused but the state advocate J.P.Mittal pointed out the necessity of Sheikh Sahib's inclusion in the list of accused as otherwise, according to his submission the case could not be followed further. His plea was accepted and Sheikh Sahib's name too was included in the list of the accused.The accused first tried in the court of Special Magistrate Sh.N.K.Haak, were later transferred to a special court at Jammu. After the charges had been read out, Baig Sahib denied being guilty, which according to him in essence comprised of four charges:

1-Attempt to bring Sheikh Abdullah back to power.

2-Attempt to have the state illegally amalgamated with Pakistan.

3-Attempt to stage a coup against the state Government.

4- Criminally conspiring to attain the above objectives.

In his lengthy defense plea, Baig Sahib mentioned the animosity of lobbies that felt aggrieved because of pioneering land reforms in the state. Other reasons for the enemy lobby, said Baig Sahib, were result of anti autocratic, anti communal and anti loan shark policies that their Government had followed.

When the case was in sessions and dragging by the day, Pt.Nehru's dissatisfaction with the whole episode of Sheikh Sahib's arrest was getting increasingly apparent. For Pundit Nehru the case was of political principles and he felt uneasy with the changing political climate of Kashmir. A senior council was

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asked to prepare a draft for repealing the conspiracy case.The draft was sent to Bakhshi Sahib for consideration, who in turn discussed it with Sadar Riyasat and D.P.Dhar.

Having gained unanimity against the draft, Bakhshi sahib met Punditji and raised a spectacle of possible dangers and lawlessness that implementation of the draft would cause in the state. The move though stalled at that time did not leave Pt.Nehru convinced. In Sep.1963, he once again wrote to Bakhshi to withdraw the case against Sheikh Sahib. The long drawn imprisonment of Sheikh Sahib also attracted the concern of various politicians like Jay Praksah Narain and Ms.Miridulla Sarabhai who demanded an end to Sheikh Sahib's long drawn imprisonment.

Bullied politically and rendered powerless, Ghulam Mohammad Sadiq formed a party of his own named Democratic National Conference. Though this party did attract most of those opportunist elements who had failed to make major personal gains by associating with Bakshi Sahib, it never could strike any roots amongst the masses. The central leadership in Delhi was happy with this political development in Kashmir, but doubted its political utility. With the approach of elections, Sadiq sahib and his associates realized the grim prospects awaiting them. Possibly, at behest of the centre, Sadiq Sahib demonstrated his diplomatic ingenuity by dissolving his party and joining back Bakhshi controlled National Conference.

Too strong to be challenged, the opportunist lobby, supporting and in turn nurtured by Bakhshi Sahib, continued its run in power making it impossible to improve the climate of corruption and autocracy prevalent in the state.

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Kamraj plan.

K. Kamaraj had been Chief Minister of Tamil Nadu for three consecutive terms, winning elections in 1957 and 1962. He was quick to grasp that the Congress party was slowly losing its vigor in not only his own state but also the country as a whole. The country was dispirited to the extent that the nominal opposition in the parliament had the cheek to move a no confidence motion for the first and last time against the mighty Nehru. The debacle of Nehru's foreign policy brought about by the National humiliation at the hands of Chinese aggression was further accentuated by the twin burden of his trounced Panch sheel policy and the additional burden to defend a grossly incompetent defense minister, Krishna Menon.

The scourge of the ruling class resulting from arrogance and autocratic governance had put in motion the corrupt greed of politicians and bureaucrats distancing the masses from the State all over the country. Under the depressive political climate, Kamraj came up with what is known as the "Kamaraj Plan" which suggested that those holding high Government positions in the centre as also in the States should give up their posts and work for strengthening the party (Congress). Nehru, who had already expressed his desire to retire from office after turning 70 in 1959,was the first offering to resign but was shouted down by a chorus of "No-No".

On 2 October 1963, Kamraj, resigned from the Tamil Nadu Chief Minister Post. He proposed that all senior Congress leaders should resign from their posts and devote all their energy to the re-vitalization of the Congress. In 1963, he suggested to Nehru

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that senior Congress leaders should leave ministerial posts to take up organizational work. This suggestion known as the Kamaraj Plan was primarily designed to dispel from the minds of Congressmen the lure for power and aimed at creating in its place a dedicated attachment to the objectives and policies of the organization.

Elected the President of the All India Congress In 1964, Kamaraj successfully navigated the nation through the stormy years following Nehru's death. Six Union Ministers and six State Chief Ministers including Lal Bahadur Shastri, Jagjivan Ram, Morarji Desai, Biju Patnaik, and S.K. Patil followed suit, as per the Kamraj plan, and resigned from their posts. The most notable amongst these was Bakhshi Ghulam Mohammad, who got eased out of his ten-year reign as the successor to Sheikh Abdullah.

Bakshi Sahib did submit his resignation though people in know claim that he had never expected his resignation would be accepted. In fact, Kamraj plan was relevant for Congress leaders while Bakhshi was not a Congress party leader but the leader of a regional party, J&K National Conference and hence under no obligation to put in his papers as desired under Kamraj plan. However, the acceptance of his resignation and the sense of disappointment suffered by him was made evident by the furious demonstrations of his supporters shouting slogans "Bakhshi Sahib take back your resignation". Those with forebodings of being out of power as their shenanigans were bound to be exposed were moving heaven and earth to survive.

Probably the person who rued the plan most however remained silent at that time. Several years later, speaking to a foreign journalist, Morarji Desai who had all along considered himself a

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natural successor to Nehru is reported to have said, "It (the Kamraj plan) seemed to have been motivated not only to get rid of me but also to pave the way for Mrs. Gandhi (Indira) to the Prime Ministership of India."

The nomination of Bakshi Ghulam Mohammed's successor posed a challenging task. Bakshi was not prepared to accept Ghulam Mohammed Sadiq (the choice candidate of Sadar Riyasat) as his successor. He agreed to Sadiq's nomination only if the new cabinet would be as per his choice, a condition that was unacceptable to Mr.Sadiq. Surprises never cease,while negotiations on this issue were in progress, Bakshi Sahib announced the appointment of Kh. Shamas- u- Din even without getting Centre's consent. This according to some political analysts obviously was a ploy by Bakshi Sahib to rule J&K state by proxy.

The mysterious disappearance of Mo-e-Muqaddas.

According to the legend, Syed Abdullah first brought the holy relic of Mo-e- Muqadas to India. He was a descendant of the prophet Muhammad (pbuh) and had left Medina to settle in Bijapur, near Hyderabad in 1635. When Syed Abdullah died, his son, Syed Hamid, inherited the relic. Stripped of his family estates following the Mughal conquest of the Deccan region, Syed Hamid found he was unable to care for the relic. He sold it to a wealthy Kashmiri trader, Khwaja Nur-ud-Din Eshai. However, when the Mughal Emperor Aurangzeb came to know of what had transpired, he had the relic seized and sent to the shrine of Khwaja Moin ud din Chishti at Ajmer, and had Khwaja Nur-ud-Din Eshai imprisoned in Lahore for possessing the relic.

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Later, Aurangzeb relented and restored the relic to Khwaja Nur-ud-Din Eshai allowing him to take it to Kashmir. However, by that time, Khwaja Nur-ud-Din Eshai had already died in imprisonment. In the year 1700, the relic finally reached Kashmir, along with the body of Khwaja Nur-ud-Din Eshai. There, Inayat Begum, daughter of Khwaja Nur-ud-Din Eshai, became a custodian of the relic and established the shrine. Inayat Begum was married into the prominent Banday family in Kashmir, and since then, her descendants from the Banday family have been the keepers of the relic, known as Nishaandehs (literally: givers of the sign).

To the horror of everyone Muslim or non-Muslim, the relic was reported missing on 26/27 December 1963 from its traditional resting place at the famous Hazratbal shrine. The news of the sacrilegious act coupled with the primordial web of superstition, spread like wild fire. There were mass protests all over the state, as if hell had broken loose. Hundreds of thousands were out in streets. Shopkeepers rolled down the shutters in protest; a cinema hall and a hotel were burnt. Both belonged to a brother of Bakshi Gh.Mohammed. The administrative machinery collapsed and Kothi Bagh police station was set on fire. A Committee known as Awami action committee formed under the leadership of Maulana Masoodi to recover the relic made its debut. On 31st. December, Jawaharlal Nehru made a broadcast to the nation on the disappearance of the sacred relic.

The relic was recovered on fourth. January 1964 thanks to the tireless efforts of Mr.B.N.Mullick the intelligence chief. His public announcement that the shrine would be kept free from security watch for three days to allow the holy relic be put back

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worked. The holy relic was placed back scrumptiously. However, it did little to pacify the crowds. On 3rd, Feb.1964 a group of respected Muslim divines identified the holy relic and declared it to be genuine.

Though three people were held for this theft, the real motives for the heinous crime could never be uncovered. Kh. Shamas u Din resigned as Chief Minister following this incident and Ghulam Mohammed Sadiq was sworn in as the Chief Minister of the State.

Sheikh Mohammed Abdullah's release from prison, visit to Algeria and arrest.

One of the major decisions by Sadiq Sahib was to heed the advice of Pt.Nehru and withdraw the cases against Sheikh Sahib who returned to Kashmir amidst a rousing unprecedented welcome by the mass of people. Delhi's changed attitude became evident when Pundit Nehru invited Sheikh Mohammed Abdullah to Delhi for a series of negotiations. Pt.Nehru was now desirous to find a lasting speedy solution to Kashmir tangle, which weighed heavily on his mind, lest it become a festering wound on the body politic of south Asia.

In pursuance of his goal, he deputed Sheikh Sahib on an important mission to Pakistan. Sheikh Abdullah went to Pakistan in spring of 1964. President Ayub Khan of Pakistan held extensive talks with him to explore various avenues for solving the Kashmir problem and agreed to come to Delhi in mid June for talks with Nehru as suggested by him. The date of his proposed visit was fixed and communicated to New Delhi.

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President Ayub Khan of Pakistan who received the Kashmiri leader in May had this to say: "Sheikh Abdullah is a lion hearted leader."

Mr.Ayub Khan in his book "Friends and not masters" has referred to the visit of Sheikh Abdullah and Mirza Afzal Beg. According to him, the two, Sheikh and Baig, had brought an "absurd" proposal for a confederation of India and Pakistan. Ayub Khan has expressed that the "absurd suggestion of confederation must have been mooted by Pt.Nehru".The fact is that in their parleys before the departure for Pakistan, it was Sheikh Sahib who mooted the proposal of confederation while Pt.Nehru rejected it and instead advocated the idea of a federation to be pondered over. When Sheikh Sahib read Ayub Khan's book while in Kodaikanal jail, he wrote to Ayub Khan, "The late Pt.Nehru never forced us to put before you any particular proposal. No we are not made that way."

On 27th May while the Sheikh Mohammed Abdullah was en route to Muzaffarabad in Pakistani Administered Kashmir news came of the sudden death of Pt. Nehru and the Sheikh after addressing a public rally at Muzaffarabad returned to Delhi. President Ayub Khan sent a high-level Pakistani delegation led by his Foreign Minister Zulfikar Ali Bhutto along with him to take part in the last rites of Jawaharlal Nehru.

"we can not be enemies forever!"

Covering the crucial visit of Sheikh Sahib was Inder Malhotra a noted journalist. Mentioning the event in Indian Express, under the tittle, "Mourning Nehru in Pakistan"says:

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"As if on cue, Hafeez Jullundari — the nearest thing Pakistan had to the poet laureate as well as a sort of minister-in-waiting during the Sheikh's stay — stalked up to our table and sat down. Wagging his finger, he told me: "Inder Malhotra, you people have had a long ride feeling superior to us because you were lucky to have Nehru. Our misfortune was that after the early deaths of Jinnah and Liaquat, all our leaders were useless. Now Nehru is about to go. You will be down to our level, and then we will see". All the Pakistanis around the table were horrified. They started remonstrating with the renowned poet but their attempt was drowned in the sudden flurry and noise. Sheikh Sahib had come down and everyone was being directed to his or her vehicle".

"It was there that the news of Nehru's illness caught up with us. He died at the precise moment when the Sheikh set foot in Muzaffarabad. The thought uppermost in my mind was that the capital of Pakistan-held Kashmir was not the best place to be in at the time of Nehru's passing. But what followed stunned me. The huge crowd that had assembled to welcome Sheikh Abdullah instantly turned into a mourning mass. Every man, woman and child, hands raised skywards, was praying for Nehru. Some of them were crying. No one touched the elaborate wazwan laid out. Suddenly, there was commotion at a short distance. A tall man was shouting my name, beating his head with both his hands and cursing his "black tongue". It was Hafeez Jullundari. As he apologized to me profusely, Sheikh Sahib arrived to calm him. Instead, the two embraced each other and sobbed"

"Zulfiqar Ali Bhutto, then Ayub's foreign minister, placed a PIA plane at the disposal of those of us who had assembled at his

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house. Its crew, overworked because it had flown in from Gilgit, could not have been more courteous or considerate. After the dinner trays were cleared, most of us got busy writing our dispatches. The airhostess came, sat down in the empty seat next to me, and asked if she could read what I was typing. When, while reading my homage to the iconic leader for The Statesman, my paper then, she reached my brief reference to the Pakistani reaction to his death, she broke down. Rushing to the washroom, she came back composed, and said:

"Sir, I am sure we cannot be enemies for ever". I told her that these were exactly the words Nehru had used seven years earlier.



(Fromleft: M. Masoodi, Mirza Afzal Baig, Sheikh Abdullah, Gen.AyubKhan,Z.A.Bhuto).

The deterioration in the political atmosphere of Kashmir had forced a reconsideration of Kashmir policy by the centre resulting in appointing Ghulam Mohd.Sadiq as the chief minister despite a sullen attitude of Bakhshi Ghulam Mohammad.To change the atmosphere of corruption and the tradition of favoritism that had been flourishing in the state was

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too big an order for Mr.Sadiq. With the strong Bakshi Bros. lobby and stake holders in vested interests around, bent on sabotaging any steps of reform, it was well nigh an impossible task for Sadiq Sahib to change the administration. He was well aware about the mischief potential his opponents wielded. To strengthen his position and to gain greater confidence of the centre, he proposed the dissolution of National Conference as a party and instead turned it into a branch of Indian National Congress.

In the year, 1964 Bakshi Sahib demanded a no confidence motion against Mr.Sadiq in the Assembly. The later being well aware of the outcome of such a move let the house close sine die. By resorting to such a step, he could escape the consequences for a limited time only. He also allowed the application of article 356 of Indian constitution, which could enable President's rule to be enforced onto the state. Sadiq Sahib, in a bid to further the goal of total accession of J&K state with the country also changed the nomenclature of Sadar Riyasat to that of Governor and of Prime minister to that of Chief Minister. Both the steps namely dissolution of National conference as a political party and acceptance of article 356 of Indian constitution was opposed tooth and nail by Sheikh Sahib who urged Kashmiris to boycott all the congress leaders. These developments were a prelude to a new turn in the state's politics and ultimately plunged Kashmir into a struggle that over time evolved into a bloody conflict as evidenced much later.

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Chapter-9

Sheikh's Algeria visit and Cho En Lai, Pak infiltration and Indo-Pak war, Tashkent agreement, Elections and rigging charges, Enquiry commission against Bakhshi, ban on Sheikh's entry into state , death of Sadiq Sahib.

In 1965, Sheikh Sahib went to Algeria to attend Afro Asian conference. There he met the Chinese Premier Chou En Lai. It is reported that Chou En Lai offered help to Sheikh Sahib for attainment of his goals and invited him to visit China. Ben Bella of Algeria had overheard this conversation and reportedly pointed to Sheikh Sahib later, how disastrous such an aid could prove. This obviously hinted towards an armed incursion suggested by Chou En Lai, a suggestion that was abhorrent to Sheikh Sahib.However, the Indian press over played the meeting with Chou En Lai and the whole nation still unable to overcome the shock of Chinese treacherous invasion expressed very high displeasure with Sheikh Mohd.Abdullah.

Further, the reported statement of Sheikh Sahib asking for the discussion by the Afro-Asian conference of Kashmir issue was highly embarrassing to India. Sheikh Sahib ordered by Government of India to immediately return to India failing which his passport would be held null and void, arrived at the Palam airport of Delhi and was immediately arrested and sent to prison in Tamil Nadu. This led to greater deterioration in political climate of Kashmir, and by August 1965, Pakistan taking advantage of the unsettled situation sent infiltrators to conduct subversive activities in the state.

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The infiltrators in the guise of local Kashmiris entered Kashmir in August to conduct subversive activities on a large scale. This blatant intrusion led to a full-scale war flaring up on 1st Sept.1965 between India and Pakistan. Pakistan launched an unprovoked attack supported by tanks in the Chammb Juarian sector with a view to capture Kashmir in a swift, short operation.The poorly trained and thinly disguised Pakistani infiltrators got little support from Kashmiris and were hounded out. To ease the pressure on Chamb Jaurian sector, the Indian army mounted an offensive towards Lahore a factor that probably had not been reckoned with by Pakistan army. The Security Council succeeded in getting both parties to agree to a cease-fire, to be followed by negotiations at a later day.

The negotiations did take place and resulted in what is known as Tashkent agreement between Lal Bahdur Shastri and President Ayub Khan.This war has gone down in the history as one of the most useless wars for it cost many a lives to both the parties without gaining anything in return.

According to - Library of Congress [USA]

"The war was militarily inconclusive; each side held prisoners and some territory belonging to the other. Losses were relatively heavy—on the Pakistani side, 20 aircraft, 200 tanks, and 3,800 troops. Pakistan's army had been able to withstand Indian pressure, but a continuation of the fighting would only have led to further losses and ultimate defeat for Pakistan. Most Pakistanis, schooled in the belief of their own martial prowess, refused to accept the possibility of their country's military defeat

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by "Hindu India" and were, instead, quick to blame their failure to attain their military aims on what they considered to be the ineptitude of Ayub Khan and his government"

1967 saw J&K state preparing for a new election, while Sheikh Sahib was in exile from May '65 to Jan '68. Interned from 1965 to 1968 after Nehru's death in 1964, Sheikh Sahib was exiled from Kashmir in 1971 for eighteen months. The Plebiscite Front was banned allegedly, to prevent Sheikh Sahib and the Plebiscite Front from taking part in elections of Kashmir.

Bakhshi Ghulam Mohammed meanwhile reorganized the National conference and prepared to fight the approaching elections. The ruling congress conscious of its dim prospectus at the polls readied itself to fight using the same questionable means earlier adopted by Bakhshi Sahib himself. An unprecedented rigging resulted in Bakshi Sahib just winning eight Assembly seats the rest went to Congress, many of its candidates having been declared successful unopposed! The returning officers had done a commendable job albeit a dishonest one.

Despite his electoral victory, Mr.Sadiq continued to be apprehensive about Bakhshi so he leveled serious allegations against Bakhshi that resulted in setting up of a commission of enquiry under Mr.Iyenger. The commission after two years of deliberations submitted its report, which held Bakhshi Sahib responsible for irregularities to the tune of Rs. four crores.

Sadiq considered Bakhshi as his nemesis to counter which he adopted a conciliatory approach towards Sheikh Sahib and liberated the press from strict regulations. Sadiq largely did

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create a tolerably congenial political atmosphere. The Plebiscite front encouraged by the signs on the political horizon decided to participate in the elections at all levels. Mr.Sadiq went so far as to seek the improvement of relations with Sheikh Sahib, which was a wise and positive step, for it encouraged Sheikh Sahib to start a dialogue with the centre directly.

The decision to participate in the state elections though welcomed by the Congress party did create tensions and fears of the unknown in their minds. Their fears materialized soon when the election results to the Panchayats, the local bodies were announced. The plebiscite front claimed to have made a clean sweep with 99% of its candidates winning the polls. However, some crafty officials seemed to have just reversed the results. This allegation turned to be a blot on Mr.Sadiq's regime and the good will that he had generated with his liberal policies evaporated into thin air.The real results of elections to Panchayat bodies frightened both the Congress party of the state as also the National conference. The top leaders of both the parties felt the intensity of the dangers looming from the Plebiscite front and shared their growing apprehensions with the centre.

Earlier the solution to such problems was to arrest the Plebiscite front leaders under secessionist allegations, but with the changed policy of the Front's participation in the elections, such an action would carry little conviction.The Parliamentary elections were to be held in Feb.1971.Sheikh Sahib and Baig Sahib decided that Plebiscite front would take part in the elections. Both went to Delhi before announcing the names of their candidates. On their return to Kashmir, Sheikh Sahib was

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prevented from boarding the flight to Srinagar while Baig Sahib was stopped somewhere on the Jammu Srinagar highway and prevented from proceeding to Srinagar.

The embargo on the entry into the state of these leaders attributed to unearthing of an anti state conspiracy by the Plebiscite front resulted in arrest of several workers and leaders of the front after their party, the Plebiscite front was declared illegal. After a year and a half both Sheikh Sahib and Baig Sahib were allowed entry into the state, after elections to both the Legislative Assembly and the Parliament had taken place.

Khwaja Ghulam Mohammed Sadiq passed away in 1971 following which Syed Mir Kasim became the chief Minister of the state.

Syed Mir Kasim's political career first began during India's freedom struggle against Britain, when he became a leader of the non-sectarian, pro-democracy Quit Kashmir political movement. His advocacy against monarchial rule resulted in his imprisonment as a political prisoner by the Maharaja of Kashmir.

After India's independence, Syed Mir Qasim helped draft the Kashmir constitution. He served in various State and Union positions. Mir Qasim incurred the wrath of Mirza Afzal Baig for criticizing the latter's food policy. In retaliation Baig had him expelled from National Conference along with Mohi- Ud- Din Qarra , Shams-U- din, Manohar Nath Kaul and Peer Ghulam Rasool of Mattan. However later Sheikh Sahib realizing the folly of Baig had him re-inducted in the National Conference.

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The credit for establishment of the Indian National Congress in Kashmir goes to Syed Mir Qasim. By manipulating the absence of opposition, Congress party had managed to retain its power in the state but the adoption of extra legal methods to cling to power had disillusioned the people not only towards the party in power but even to the idea of a fair solution to the Kashmir issue by legal means. A radical thinking was now catching the imagination of people.

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Chapter-10

Crisis in Pakistan, Bangladesh story, Indo-Pak war of 1971 , Z.A, Bhutto, Shimla agreement, nuclear India, Zia's coup, Kashmir Accord,Sheikh as C.M, dissolution of Plebiscite front, National Conference reborn, Congress-N.C friction, Sheikh's economic reforms.

It might seem out of place to give a comprehensive account of the factors that led to birth of a new nation of Bangladesh in this book. However, a closer study of these events that caused the split of Pakistan will reveal the farsightedness of Sheikh Mohammed Abdullah that guided his life long politics. Many an indicators can be perceived in his speeches and actions to augment this trait of his. No wonder it led to seemingly confusing and almost contradictory stands he took from time to time. He had read more than others could, in the jingoistic politics of Muslim league and the bellicose attitude that became a trademark of subsequent Pakistani politicians.

The country of Pakistan created on the midnight of 14th.Aug.1947 comprised of two geographically distinct parts, the western part referred to as West Pakistan and the eastern part as East Pakistan. Despite the population of the two parts being near equal, political power remained concentrated in West Pakistan. In course of time, it became quite apparent that East Pakistan exploited economically, was causing many grievances to its inhabitants, the Bengalis. This imbalance between the two regions caused strong currents of discontent in the Eastern half of the country. Although East Pakistan had a larger population,it was West Pakistan that dominated the country politically and received more money from the common budget.

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Between the years, 1950 to 1970 economic disparities got worse than before. The amount of Pak. Rupees spent in Western part was 1,13,340 million while for East Pakistan the figure was 45,330 million only i.e. 41.8% of what was spent for the Western wing of the country with a population lesser than that of Eastern wing. After the assassination of Liaquat Ali Khan, in 1951, power shifted to the President of Pakistan, and to army. The President frequently sacked the nominal elected chief executive, the Prime Minister of Pakistan. Whenever any one of the Bengalis, such as Khawaja Nazimuddin, Muhammad Ali Bogra, or Huseyn Shaheed Suhrawardy was elected Prime Minister of Pakistan, he got swiftly deposed by the largely West, Pakistani establishment.

In 1970 the Awami League, the largest East Pakistani political party, led by Sheikh Mujibur Rahman, won a landslide victory in the national elections. The party won 167 of the 169 seats allotted to East Pakistan, and thus a majority of the 313 seats in the National Assembly. This gave the Awami League the constitutional right to form a government. Zulfikar Ali Bhutto, the leader of the Pakistan Peoples Party, refused to allow Rahman to be the Prime Minister of Pakistan. Instead, he proposed the idea of having two Prime Ministers, one for each wing. The proposal elicited outrage in the east wing. There was deep-rooted resentment in East Pakistan against the ruling coterie of West Pakistan, mainly the Punjabis.

General Ayub ordered the arrest of Mujib ul Rehman and others on his arrival in Dacca. Prosecution under what is known as Agarthala conspiracy case failed to suppress the agitation and Ayub Khan was constrained to call a round table conference where the delegates from Eastern wing put up the demand for

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internal autonomy. Resentment against Ayub was mounting in western wing for his soft handling of Eastern wing politics, resulting in Ayub handing over the reigns of power to the younger General Yahya Khan.

The military dictatorships of Ayub Khan (27th October 1958 – 25th March 1969), followed by Yahya Khan (25th March 1969 – 20th December 1971); only heightened the discrimination towards the Bengalis of East Pakistan. The West Pakistan establishment in Bengal unleashed suppression of rising political discontent and cultural alienation by force. According to the Asia Times, at a meeting of the military top brass, Yahya Khan is said to have bragged, "Kill three million of them and the rest will eat out of our hands".

On 25th March Yahaya Khan flew back to Islamabad, and at the dead of night, the Pakistani Army launched Operation "Searchlight" to crush Bengali resistance. In this operation, Bengali members of military services were disarmed and killed, students and the intelligentsia systematically liquidated and able-bodied Bengali males just picked up and gunned down. The Awami League leaders were arrested, while a few fled Dhaka to avoid arrest. General Yahya Khan banned the Awami League.

The crackdown by West Pakistan forces led to Awami League leader Sheikh Mujibur Rahman declaring East Pakistan's independence as the state of Bangladesh on 26th. March 1971. Retaliating, President Yahya ordered the Pakistani military crack down. The Pakistani Army arrested Sheikh Mujibur Rahman. Yahya Khan appointed Brigadier (later General) Rahimuddin Khan to preside over a special tribunal prosecuting

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Sheikh Mujibur with multiple charges. The tribunal's sentence was never made public as Yahya caused the verdict to be held in abeyance.



The barbarity of the crackdown led to about ten million refugees fleeing to the eastern provinces of India while as the estimates of those killed in the crack down put the causalities at one half to one million. India was put to an agonizing dilemma,the economic burden of maintaining a heavy influx of refugees was serious enough for India to seek the moral support from Western powers to rein in their military allay Pakistan,but the West turned a blind eye to the situation. The humanitarian and economic crisis resulting from a massive influx of refugees led to India actively aiding the Bangladeshi partisans known as the Mukti Bahini. Even at this point of time negotiations for a reasonable solution of the crisis was possible but an over confident Yahya ordered a preemptive air strike on 25th November against Indian air force. French Mirages, American F-104 star fighters,Sabre jets and

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Chinese made MiG 19s were sent to vanquish the Indian air force by surprise while on ground. The Pakistani air strike was thinly spread over a vast area from Srinagar and Ambala airforce bases to Agra and Jaipur.

The Indian air force seemingly was well prepared for such a surprise attack. India's Air Chief, Air Marshall Engineer is reported to have said, "they have not been able to bruise let alone hurt us."

Only within a few hours later the Indian air force retaliated by pounding the Pakistani air basis at Sialkot, Sargodha, Mianwali, Muree, Rawal Pindi, Karachi and Lahore. The Pakistani air arm had been so badly mauled in these counter raids that the Pakistani tanks fighting in Jaislmer had no air cover while they were pounded by IAF Hunters from the air, nor was Pakistani air force available when the oil dumps of Karachi were set ablaze by IAF. Evidently, the Pakistan air force had been driven away from the skies by one single operation.

While the Indian side was eager to achieve quick results in the east, Yahya Khan concentrated on western front to achieve his objective of capturing as much area in Kashmir as he could. India depended on its Gnats to harass the Pakistan Sabres, a job well achieved by the tiny but highly maneuverable fighters thereby depriving the Pakistani ground forces of any aerial support.

In their effort to tighten the noose around Dacca, the advancing Indian army took over the town of Jessore without any enemy resistance.Another column marching from North West towards besieged Sylhet captured Comilla, thereby disrupting the road

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link between Dacca and Chittagong. The aircraft carrier Vikrant bombarded the ports of Cox Bazar and Chittagong, damaging several Pakistan Navy vessels. The escape route for Pakistani army was sealed and when Gen Niazi surrendered on 16th December, about 90,000 Pakistani soldiers laid their arms and went into the custody of Indo-Bangladesh forces.

On the western front, Pakistan attacked Poonch and managed to drop hundreds of commandos behind the Indian army lines. The attempt however failed to achieve any gains for either side. Chhamb area witnessed some of the fiercest battles reminiscent of some 2nd World war battles fought in Europe. Pakistani troops showed extreme determination in launching several waves of attacks, but the outnumbered Indian forces not only endured these ferocious attacks well but also seized the strategic Chicken Neck Pakistani outpost.

Yahya Khan completely discredited in Pakistan, was replaced by the volatile Zulfikar Ali Bhutto. The military action by India against Pakistan resulted in the liberation of Bangladesh. 26th. March 1971 is considered the official Independence Day of Bangladesh. In July 1971, Indian Prime Minister Indira Gandhi openly referred to the former East Pakistan as Bangladesh.

1971 war and the aftermath

As an aftermath of the split of Pakistan, Bhutto returned home on 18th. December 1971. On 20th.December, he drove to the President House in Rawalpindi where he officially took charge of Yahya Khan's two portfolios, one as President of Pakistan and the other as first civilian Chief Martial Law Administrator, thus he was the first civilian Chief Martial Law Administrator of the dismembered Pakistan.

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The outcome of 1971 war resulting in the unconditional surrender of nearly 90,000 Pak.soldiers and creation of Bangladesh radically changed the political outlook in the subcontinent. The Shimla agreement that followed, signed by India and Pakistan stipulated, "In Jammu and Kashmir, the ceasefire of Dec.1971 shall be respected by both the sides without prejudice to the recognized position of either side".

The Shimla agreement of 2-7-1972 signed by Z.A.Bhutto and Mrs. Indira Gandhi, besides other items of accord, included: "In order to initiate the process of establishment of durable peace, both Governments agree that;

(i) Indian and Pakistani forces shall be withdrawn to their side of the international border.

(ii) In Jammu and Kashmir, the line of control resulting from the cease-fire of December 17, 1971 shall be respected by both sides without prejudice to the recognized position of either side. Neither side shall seek to alter it unilaterally, irrespective of mutual differences and legal interpretations. Both sides further undertake to refrain from the threat of the use of force in violation of this line.

(iii) The withdrawals shall commence upon entry into force of this Agreement and shall be completed within a period of thirty days thereof.

Nuclear sub continent

Prime Minister Indira Gandhi, having strengthened her position with the resounding victory of Bangladesh war, further surprised the World and snubbed the US President Nixon with

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one of India's best-kept state secrets that was the Pokhran nuclear test. The work on nuclear programme gained momentum with a new sense of purpose and energy in 1967, after Indira Gandhi became the Prime Minister. Homi Sethna played a significant role in the development of weapon-grade plutonium while Ramanna designed and manufactured the nuclear device. On 7th. September 1972 Prime Minister Indira Gandhi authorized the Babha Atomic Research Centre (BARC) to manufacture a nuclear device and prepare it for a test. Throughout its development, the device called the "Peaceful Nuclear Explosive" was usually referred to as the Smiling Buddha and the detonation was scheduled to occur on 18th. May 1974.

After India's nuclear test in May 1974, Bhutto in his paranoiac attitude interpreted this test as a death signal for Pakistan. In a press conference, held shortly after India's nuclear test, Bhutto said, "India's nuclear program is designed to intimidate Pakistan and establish "hegemony in the subcontinent". Despite Pakistan's limited financial resources, Bhutto obsessed now about Pakistan nuclear energy project, is reported to have said,

"Pakistanis will eat grass but make a nuclear bomb'.

The Pakistan Atomic Energy Commission (PAEC) was brought under the direct control of Prime minister in January 1972 so that its activities could be directly orchestered by Zulfikar Ali Bhutto. PAEC conducted the first cold test of a working nuclear device on 11th March 1983 at Kirana Hills which was followed by another two dozen cold tests till the early 1990s. Pakistan and China signed a joint venture of peaceful use of nuclear energy on

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15th.September 1986. In 1989, Pakistan and China reached an agreement under which China agreed to provide the 300MW nuclear power plant. On 28th May 1998, PAEC scientists conducted the first Pakistani test of nuclear weapons in Ras Koh Hills in Chagai District, followed by further nuclear tests in Kharan Desert. In 2001, Pakistan Nuclear Regulatory Authority (PNRA) and Nuclear Command Authority (NCA) were established, and scientists belonging to PAEC's Nuclear Safety Division were transferred to PNRA.

During the Cold war era, ZA Bhutto was criticized by the United States for his Third World activism, opening up to Communist China and most of all for his initiation of a nuclear program for Pakistan. However despite having ushered in an economic revolution that included reform of land holding laws, the opposition within the country's political parties grew so serious as to let the army stage another coup d'état against Bhutto on 5th July 1977.

Bhutto and members of his cabinet were arrested by troops under the order of General Zia. It is believed that the coup took place on the pretext of unrest despite Bhutto having reached an agreement with the opposition. Subsequently after a long trial, Bhutto, founder of the Pakistan People's Party (PPP) was hanged at Rawalpindi's Central Jail on April 4, 1979 and buried in the village of Garhi Khuda Baksh in his native Sindh Province.

A wise man changes his mind a fool never will. Sheikh Mohammed Abdullah watching the alarming turn of events in the subcontinent realized that for the survival of this region there was an urgent need to stop pursuing confrontational politics and

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promoting solution of issues by a process of reconciliation and dialogue rather than confrontation. The Centre well aware of the political undercurrents in the state was inclined to bridge the gulf with Sheikh Sahib, as Sheikh Sahib reconsidered his recalcitrant attitude towards the ground realities. Conciliatory speeches and gestures replaced caustic remarks and harsh retaliatory measures on both sides. Realizing this, he started talks with Prime Minister Indira Gandhi for normalizing the situation in the region.

Protracted negotiations between the two leaders led to an accord called 1974 Indira-Sheikh accord. The demand for a plebiscite was abandoned in favor of the people being given the right to self-rule by a democratically elected Government (as envisaged under article 370 of the Constitution of India) rather than the puppet government which till then ruled the State.

In June 1972, Prime Minister Indira Gandhi and Sheikh Sahib had a meeting in Delhi. Both expressed a desire to start a new chapter in J&K state that was followed by negotiations between Mirza Afzal Beg and Shri Partha Sarthy regarding the constitutional matters concerning the state.



Friends forever. On the eve of Kashmir Accord

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The negotiations lasted for more than two years and resulted in what became known as the Kashmir accord, which agreed on the following:

1- The State of Jammu and Kashmir, which is a constituent unit of the Union of India, shall, in its relation with the Union, continue to be governed by Article 370 of the Constitution of India.

2. The residuary powers of legislation shall remain with the State. However, Parliament will continue to have power to make laws relating to the prevention of activities directed towards disclaiming, questioning or disrupting the sovereignty and territorial integrity of India or bringing about secession of a part of the territory of India from the Union or causing insult to the Indian National Flag, the Indian National Anthem, and the Constitution.

3. Where any provision of the Constitution of India had been applied to the State of Jammu and Kashmir with adaptations and modifications, such adaptations and modifications can be altered or repealed by an order of the President under Article 370. Each individual proposal in this behalf being considered on its merits; but provisions of the Constitution of India already applied to the State of Jammu and Kashmir without adaptation or modification are unalterable.

4. With a view to assuring freedom to the State of Jammu and Kashmir to have its own legislation on matters like welfare measures, cultural matters, social security, personal law and procedural laws. In a manner suited to the special conditions in the State, it is agreed that the State Government can review the laws made by Parliament or extended to the State after 1953 on

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any matter relatable to the Concurrent List and may decide which of them, in its opinion, needs amendment or repeal. Thereafter, appropriate steps may be taken under Article 254 of the Constitution of India. The grant of President's assent to such legislation would be sympathetically considered. The same approach would be adopted in regard to laws to be made by Parliament in future under the Proviso to clause 2 of the Article. The State Government shall be consulted regarding the application of any such law to the State and the views of the State Government shall receive the fullest consideration.

5. As an arrangement reciprocal to what has been provided under Article 368, a suitable modification of that Article as applied to the State should be made by Presidential order to the effect that no law made by the Legislature of the State of Jammu and Kashmir, seeking to make any change in or to effect of any provision of Constitution of the State of Jammu and Kashmir relating to any of the under mentioned matters, shall take effect unless the Bill, having been reserved for the consideration of the President, receives his assent

The matters are:

(a) The appointment, powers, functions, duties, privileges and immunities of the Governor, and

(b) The following matters relating to Elections namely, the superintendence, direction and control of Elections by the Election Commission of India, eligibility for inclusion in the electoral rolls without discrimination, adult suffrage and composition of the legislative Council, being matters specified in

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sections 138, 139 140 and 50 of the Constitution of the State of Jammu and Kashmir.

6. No agreement was possible on the question of nomenclature of the Governor and the Chief Minister and the matter is therefore, remitted to the Principals.

S/D Mirza Mohammad Afzal Beg,

G. Parthasarathi New Delhi, November 13, 1974

Different reactions to the accord were coming forth though belatedly, while secular and leftist parties welcomed the Indira-Sheikh accord, the right wing parties like JanSangh, Jamaat e Islami and Awami Majlis had denounced it. Even the vice president of Plebiscite front Sufi Akbar denouncing the accord had resigned from the party. Another Kashmiri leader Moulana Mohd.Syed reluctant to speak publicly about the accord however in private, made no bones about his dismay with the accord. The reaction to the accord was predictably very critical in Pakistan. Mr.Bhuto called for a countrywide strike to protest against the accord.In fact, an impression gained ground that the option of Plebiscite was a closed chapter now. With the passage of time the slogan of self-determination, which had reverberated for nearly two decades, lost its appeal and it was reduced to the level of a mere formal slogan.

Pakistan in an effort to infuse some life into the Kashmir issue had lost its influence not only abroad but also in Kashmir owing to its second armed infiltration into Kashmir in the year1965. The idea of an agitation for a plebiscite was shelved in favor of negotiations as it was realized that a blood bath would be

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inevitable if an agitation was started. Pakistan considered being the biggest supporter for the plebiscite demand had changed its stance on Kashmir post Shimla agreement. It had issued a white paper before the general elections there, expressing Pakistan's renunciation of an armed conflict on the issue in favor of negotiations. It had even started mulling over the partition of Kashmir. The borders of territories occupied by the opposing armies were redefined under an agreement between India and Pakistan. The new border thus created known as the Line of Control (LOC) came into being.

During his tour of "Azad Kashmir", the Pak Premier Mr.Bhutto suggested that the territory under its control be declared as a province of Pakistan. The mutual relations between the two countries of India and Pakistan did show signs of improvement on all fronts except of course the Kashmir issue which had been left open for negotiations in the Shimla agreement.

Following the Chinese aggression on India in 1962, Pakistan desisted from indulging in any armed adventure against India. Six months later Sardar Swaran Singh leading a delegation to Pakistan reportedly offered Poonch and an area of 3000 square miles to Pakistan, which was countered by Mr.Bhuito's offer of Jammu province and some areas of Kashmir to India. Though these negotiations failed but it became quite apparent to people in Kashmir who swore by Plebiscite as the panacea of all their ills, that Pakistan by considering partition of J&K was going back on its declared stand that J&K was not only a territorial issue but concerned the fate of forty lakhs people.

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Under the changed circumstances after 1971 war ,the Kashmiri intelligentsia realized the shallow nature of the Pakistani bravado. Sheikh Sahib was far too intelligent not to seek a new approach to realization of his aims.

Syed Mir Kasim had played a vital role in bringing about the Kashmir accord, he offered to resign from the office of Chief Minister in order to encourage and institutionalize the landmark Indira - Abdullah Accord. The Congress party elected Sheikh Sahib as its leader, and he was sworn in as the chief Minister on 25th Feb 1975. Initially Sheikh Sahib inducted only three cabinet ministers, Mirza Afzal Beg, Devi Dass Thakur and Sonam Narbu . The latter two ministers did not belong to any party. It was a matter of time that the congress party demanded some ministerial berths. Since the whole arrangement by itself was a riddle, Sheikh Sahib wished to have assembly elections at an early date; in fact, he expected and accordingly declared that the assembly elections would be held in about eight months.

Meanwhile the declaration of emergency in the country caused the postponement of the process of assembly elections. To end the confusing state of affairs where the Chief Minister was from a party devoid of representation in the house and wholly dependent on the support of Congress party, it was proposed that Sheikh Sahib join the Congress party. He outright rejected the suggestion though claimed by Congress to have been made in good faith. Instead, he revived the National Conference and became its president on April 13th 1975 followed by dissolution of Plebiscite front and its merger with the newly revived National Conference. In turn, Sheikh Sahib invited the congress

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leadership of the state led by Syed Mir Qasim and the Plebiscite leader Mirza Afzal Beg to dissolve their respective organizations and merge them with the parent organization, National Conference.

Mir Qasim being the founder of J&K Congress party and ostensibly after consulting his high command declined the invitation to merge the state Congress party with National Conference, while Baig Sahib agreed to do so. Baig Sahib's outfit, the Plebiscite Front had been all along an extension of Sheikh's hardcore faction. The dissolution of Plebiscite front was formalized in the general council session held in July at Mujahid Manzil. Nearly one hundred delegates had assembled for this session. The dissolution of the Plebiscite front witnessed several emotionally charged scenes of some of its followers.

Despite the refusal of state Congress to merge with the National Conference as proposed, Sheikh Sahib continued his efforts to unite parties and factions with outlooks similar to his for a strong united single party that could fight the growing influence of communal elements and tackle the challenging task of Kashmir's stunted economic growth. He left open the doors of further negotiations with the Congress party on this issue. Euphoria generated by Indira –Sheikh Accord resulted in Sheikh Sahib's invitation to Mrs. Indira Gandhi for a visit to Kashmir, which she graciously accepted in Oct.1975.

Mrs. Gandhi was taken in a river procession from Chhatabal to Munshi Bagh, a break after nearly twenty years of the practice of carrying a visiting Prime Minister of India direct from the airport

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to the State Guest House under tight security arrangements (Appendix-1: River processions).

Clash of Titans:Congress vs National Conference.

It was not long before the euphoria cooled down when Mrs. Gandhi not only refused the amalgamation of state Congress with National Conference but also exhorted her party to broaden its base in Kashmir while addressing a public meeting at Sher-e-Kashmir Park. This stand of Mrs.Gandhi strongly resented by Sheikh Sahib found expression in his address to National Conference workers at Lal Chowk. Henceforth the friction between Congress and National conference grew every day. Despite a liaison committee, formed to sort out the contentious issues between the two parties, the bickering between the two parties continued and in due course open clashes occurred.

The conditions concerning the economy of the state needed some unpopular but essential steps for long-term development of the State. It was unfortunate that Congress party, to denigrate Sheikh Abdullah, exploited these well-meaning steps proposed by Sheikh Sahib, emphasizing on their trivial negative aspects. Detailed below is the sorry state of economic affairs against which Sheikh had launched his campaign.

A cursory survey of the state's financial position presented a very bleak situation. The state had become financially defunct. The per capita Rs. 354/- central help to J&K state during the first four of the five-year plan periods, against Rs.64/- to other states was glaring example of state's dependence on the centre. The loans taken by the State from the centre during the same period presented a similar picture. While other states had availed of

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loan facility of per capita Rs.56/-, J &K state had borrowed Rs.128/-per capita. The financial help rendered by the centre to J & K state comprised of 30% grant and 70% loan. The annual expenditure of the state mostly for administrative or non planned expenditure was increasing at an alarming pace being twenty four times more than what the figures were for 1953.

An analysis of the financial data revealed that the state had been spending three times its income. Anomalies like these could only be ascribed to heavy financial aids from the centre. The grant-in-aid received by J&K state during the same period stood at Rs.67/- per capita in comparison of Rs.18.5 for other states. It was clearly a case of the very plinth of the state's society being damaged. The excessive flow of funds instead of being channelized into productive channels and building up of a self-generating economy was being diverted to projects of ornamental value or worse still to line the pockets of a few-privileged to cheat the public exchequer. These led to unfortunate developments giving fillip to an all-pervading atmosphere of corruption, opportunism and several other social vices.

Sheikh Sahib greatly disturbed by the economic scenario of the state decided to follow a policy of progressive reduction of food subsidies accompanied by enhanced agricultural produce procurement as pioneering steps to usher an economic reform, which could lead to independence from a state of abject dependence.

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The system of subsidies when first introduced in 1953 cost the state Rs.1.0 crore but by the year 1975 the cost for the scheme had shot to Rs.24 cr. The interest payable by the state on the subsidy loan alone had risen to Rs.5cr. By resorting to irrational recruitment for government jobs as a means of solving the unemployment problem, the wage bill had shot to about Rs.50 cr. The proportion of government jobs of the state had surpassed that of any other state. The policy of government recruitment did not follow any logic. All the departments were crowded with employees who had no work to do. The employment process itself gave rise to a racket. Jobs were conditional to bribes paid.The senior officials spent the funds at their disposal on unnecessary things like ostentatious decorations of their offices. The purchase of such goods provided bribe incomes to the officialdom by way of commissions. The fledgling industrial culture too did not escape this vicious circle of corruption. Trade unions were used for forcing undue concessions to vested interests. As a result, the industry, which was mostly State sponsored suffered and became loss making unviable outfits.

The daunting tasks presented to the Government of Sheikh Mohammed Abdullah were many and varied in nature. He in his characteristic fashion accepted the challenges though he lacked his own strength in absence of a Legislative Assembly on which he could rely for constitutional support. The bold and unpopular steps needed to rectify the administrative and financial mismanagement met with resistance at every step. The

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difficulties compounded further by the political exigencies that cropped up with increasing frequency. Sheikh Sahib understood very well the dangers of cracking down on the mighty corrupt, as his government was dependent for its survival on outside support. His inaction and silence on this subject encouraged his political opponents to indulge in launching a high-pitched campaign against him. The congress party very well understood the helplessness of Sheikh Sahib at this stage.

Despite his oft repeated requests to the centre for calling Assembly elections in the state the topic was avoided by Mrs. Gandhi on grounds of a state of emergency prevailing in the country. Here it will be relevant to mention the fact that the declaration of emergency had excluded J&K state from the ordinance. The avoidance of elections in J&K can be ascribed to the possible calculation and hopes of the congress high command that with passage of time Sheikh Abdullah would loose much of the popular support and time would strengthen the Congress party's prospectus in an eventual poll.

Meanwhile the state Congress party playing a dual role of supporting the Sheikh Abdullah government on one hand and opposing him in public on the other hand tried its best to exploit the economic reforms of Sheikh Abdullah to detract the public good will enjoyed by Sheikh Sahib without much success. The Congress party specially focused on the issue of grain procurement to create an impression that it involved use of force and coercion of farmers. Large-scale hoarding by moneyed traders led to a serious food grain shortage in the Valley.

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As the saying goes, a hungry man is an angry man, food, or lack of it has been responsible for many revolutions; in Kashmir politics, it takes an ugly turn even with the slightest imbalance of supply and demand owing to the isolated geography of the valley. Decreasing the subsidy on food grains by 50% was a daring step on part of Sheikh Sahib. He tried to mitigate the suffering of poorer sections by introducing a two-tier price structure. It was Sheikh's sense of self-confidence and his unchallenged popularity that the masses largely accepted the hardships created by costlier food grains without a protest albeit a heavy heart.

Congress party however took the issue to greater lengths by resorting to rallies and speeches inimical to Sheikh Sahib. Another front that attracted ire of Sheikh Sahib was the administrative front. Corrupt administrators and lobbies of vested elements were averse to any reforms that would adversely affect their respective positions. Congress party on one hand did welcome the principle of reduced subsidy; but surprisingly took an antagonistic stand while addressing the people on this very topic.

Stressing the need to do away with subsidy, Sheikh Sahib made public the fact that state owed nearly Rs.300 crores* on which state had to pay hefty sums by way of interest. Reducing subsidy and saving on interest could capitalize a substantial amount for investment in productive projects and consequent employment generation. The people though did accept the logic of his

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arguments, but surrendering benefits and luxuries was a different matter.

*(*Considering the fact that the value of Gold in 2012 is approximately 160 times that in 1974/75, the State liability would be Rs.48000/- crores as per today's terms)*

Political commentators agree that within about two years of the Kashmir accord, Sheikh Sahib's popularity had been dented to a large extent, but not to the extent that his opponents could dislodge him from power. Not content with attacking Sheikh Sahib on the economic issues mentioned above, Congress party even started denigrating Sheikh for having failed to achieve anything from Kashmir accord. Speaking at Eidgah on 26th Sept.1976, Sheikh Sahib referred to these allegations and disclosed that the detailed letter he had sent to the P.M. was not included in the copies of accord that were circulated by the congress party after the accord was accomplished. According to him, the letter clearly had mentioned his willingness to take up the reigns of the power only on terms and conditions that had prevailed on 8th.August1953.

The speech of Sheikh Mohammad Abdullah on 5th.Dec.1976 was a long detailed political analysis of past events. Addressing the workers of National conference at Mujahid Manzil he said:

"It was not customary to observe one's birthday I don't know why this trend has been started. However, having reached the waning stage of my life, I wish to tell you that whatever happened to me during these 71 years is a long tale, an ocean of happenings and I

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do not understand where to begin. Our aim well defined, we made up our minds and attained the same to the extent possible. The conditions surrounding me compelled me to change my mind and I decided to change those conditions. I was determined to reach my goal, which was to liberate my kaum from the quagmire of deprivation it had slipped into. I realized my dream of my kaum alive with a high sense of dignity and throbbing with constructive activity. A group of young men had jumped into the fray along with me for the struggle. Whatever followed has gone into history books. What I wish to stress is that the struggle we embarked upon is not 20 years old, not even 45 years old but it is older than that. While we commenced our march towards our destiny lots many people joined us, it became a caravan. Some friends stopped marching ahead after a while and some accompanied us further onwards in our march. A few were contented with attainment of a ministerial chair and unfortunately thought that was the end of the journey while I felt that a ministerial chair was only a means to achieve the ultimate goal.... We had been struggling without getting any compensation. Our steps did not stagger though sometimes the idea of spending an entire lifetime behind the bars did haunt us. The charges brought against us could get us a life term or worse still a death sentence.

Both Hindus and Muslims slaughtered in the name of religion in the subcontinent, the period when National Conference led the nation, was one of great turbulence... Challenging crores of people was no mean achievement for a small party like National

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conference. Congress lacked courage and determination. National conference upheld the flag of India.... I take the opportunity to ask all those friends who today challenge the National Conference whether this is a true statement or not. If these people admit the veracity of this argument then is not National conference justified in expecting appreciation and help from them. I also wish to point it out to such people that if they fail in their moral responsibility to help National Conference they will not only be doing an injustice to themselves but also to the whole country". (Translation based on original Urdu.)

For one-year Sheikh Sahib functioned as a chief minister sans an electoral mandate. Mid term elections for two seats were called for on two seats of Gandharbal and Devsar for Sheikh Sahib and Baig Sahib respectively, because of which both joined the Assembly. Congress was unhappy that none of its ministers got a cabinet rank and they expressed their displeasure with the proportion of ministerial representation. Sheikh Sahib countered by asserting that as Chief Minister it was his prerogative whom to induct in his cabinet. Under the insistent pressure from Congress Sheikh Sahib included six members of the congress party as Ministers of state and from his own group he swore in five junior ministers, raising the total strength of the cabinet to fifteen members.

This step of his taken without consulting the Congress party, spoiled the newly created sense of trust with Indira ,for the Congress ministers inducted did not get approval of Congress high command. Congress had selected Ghulam Rasool Kar and

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G.L.Dogra as its ministerial candidates but contrary to their wishes Sheikh Sahib had selected, Ali Mohammaed Naik and Abdul Ghani Ghoni. The congress opposition to the induction of these members as ministers was based on the past association of both these candidates with Plebiscite front. Following the opposition of their own party both the gentlemen resigned from congress and joined National conference. This step created a great unrest in the state congress and they demanded the ministerial candidates to abstain from swearing in ceremony.

Raj Bhavan was decked up, officials and guests were waiting for the arrival of the new nominated members for induction into the cabinet when word reached about the congress boycott of the ceremony. The ceremony was then postponed.

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Chapter-11

Opposition to Sheikh's land grant bill, parliamentary elections 1977, Sheikh "hataav " movement, the Janata wave, governor's rule, triangular contest:N.C-Congress-Janata, battle of flags, Sheikh's heart attack , assembly elections.

Opposition to Sheikh

During his second tenure as the Chief Minister of the State, Sheikh Sahib undertook the daunting task of restructuring the floundering economy of the state. This amounted to disturbing the hornet's nest as many vested interests had emerged during the long period of his absence from Kashmir. The torrential flow of money had given birth to privileged classes who were bent on opposing any move that would leave them bereft of their illegal sources of income.

Kashmir Motor Drivers' union, which once counted as one of his staunchest supporting trade unions, now took an open stand against him. They had acquired massive wealth by the grace of permit system, introduced in the state during previous regimes. One of the reforms undertaken by Sheikh Sahib was to abolish this monopoly system, which gave the permit holders opportunity to sell the route permits at prices thousands of times over what they had to pay. As per the changed policy, any one paying a nominal fee to the state could obtain a route permit. The animosity thereby incurred from this stakeholder lobby manifested in the violent anti Sheikh processions they sponsored at the time of elections.

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During Sheikh Sahib's years in prisons or in exile a new generation, roughly segregrable into two classes had grown up who had imbibed all the vices of easy money as also the world of opportunities thrown open for them. In contrast, a massive number of this new generation of young men and women who lacked the affluence of their privileged peers had to face a bleak future of an unemployed existence and the stark realities of lack of opportunities in life. The sharp contrast presented a view of future in black and white terms sans any grey areas in between. The disgruntled and confused generation was a soft target for the malicious propaganda promising the moon if the youth would only discard the time honored values of their culture. The values that formed a corner stone of Sheikh Abdullah's blue print of Naya Kashmir. It was but natural for this generation to be ignorant of the struggles and the values that their previous generations had upheld.

Tourism was and continues to be the biggest revenue source for Kashmir valley. However lack of adequate facilities and props like five star hotel accommodation or other recreational facilities' was a great disadvantage to attract high- income group tourists in larger numbers to the valley. To obviate this drawback the need for capital from outside the state was essential, as it was not available in the state.

The people of the state who had the means to invest for such capital-intensive projects were reluctant to invest in large-scale projects for want of experience and know how needed to run such ventures successfully. The capital from outside though willing to invest in the state for such big projects couldn't do so as

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they were handicapped by the state's Article 370 clause which prevented outsiders from owning any immovable property in the state.

It was to circumvent the vicious circle that Sheikh Sahib worked a way out of this quandary and presented a bill in the Assembly called Land Grants bill in Feb.1977. The bill included the following sentences:

"Amendment of section 4 act 7 of 1960"

In the first provisio to section 4 of the J&K land grants act 1960 for the words, "relax this restriction in the interest of industrial and commercial development of tourist industry or for any other purpose or purposes as may be notified by Government from time to time" shall be substituted.

People at large spotted this small sentence as the fly in the ointment. While the words, "for any other purpose or purposes" attracted the denunciation from all the sections of the society, the political opponents of Sheikh Sahib gave the very concept out of proportion negative publicity. Replying to the spate of critical pronouncements he, while addressing a public meeting said, "The bill was necessitated to attract capital for industrialization of the state and for development of hotel industry. It was proposed to lease plots for residential purposes of industrialists for a period of forty four years after which the ownership of the property will be transferred to the state Government while the hotels would be provided land on lease for ninety nine years." In view of severe opposition to the bill expressed even by his party members, the bill was forwarded to a select committee.

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Parlimentary elections in Kashmir-1977

In January 1977, in a surprise move, Mrs. Gandhi announced holding of Parliamentary elections.Conscious about the disorganised state of the opposition, as most of them were languishing in jails, she thought it to be the right time for achieving a thumping victory. Her euphoric state of mind was in no mean way triggered by her advisors from RAW and other state organs.But the common Indian had different ideas that found expression only in the ballot box, giving unbearable shocks to political pundits, the analysts as also the intelligence sleuths! Even though Mrs.Gandhi was keen to call general elections for the entire country, she refused requests to hold Assembly elections in the Jammu & Kashmir state simultaneously.

The seat allotment of National Conference and Congress for the parliamentary elections was agreed upon on half-and-half basis. National Conference was allotted the three seats of Srinagar, Baramulla and Jammu, while the Congress was allotted the seats of Ladakh, Islam Abad (Anant Nag) and Udhampur. Begum Abdullah from Srinagar constituency, Abdul Ahad Wakil from Baramullah, and Balraj Puri from Jammu-Poonch constituency were the National Conference candidates. Congress candidates included Dr.Karan Singh from Udham Pur and Mohammed Shafi Qureshi from Anant Nag constituencies.

A big ruckus had taken place amongst National Conference workers over the candidacy for Srinagar constituency since Sheikh Sahib had originally wished to nominate Shamim Ahmed Shamim a brilliant journalist of Kashmir for the Srinagar constituency. The rank and file of National conference was

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vehemently opposed to Shamim for several anti National Conference columns in his paper and Sheikh was forced to heed the opposition and change his choice of the candidate.

Practically all the opposition parties and the vested or the disgruntled elements joined hands to oppose National Conference in the Srinagar and Baramulla constituencies. These included Jammat Islami, Peoples' league, Itihaad ul Muslmeen, Awami action committee etc. Maulana Iftikar Ansari opposing Begum Abdullah enjoyed support of all the communal factions, collectively known as bakras in the local parlance. The supporters of Moulana Ansari even included a large segment of Kashmiri Pundits and the remnants of Bakshi followers. Syed Ali Geelani of Jamaat e Islami pitted against the National conference candidate Abdul Ahad Wakil in Baramullah, received full support from the united parties that opposed Begum Abdullah in Srinagar. National conference fielded no candidate from Anantnag; Mohd Shafi Qureshi of Congress and P.L.Handoo an independent candidate faced Abdul Razak who was the candidate of Jamaate Islami.

The canvassing of respective candidates was carried with full vigour by all sections. The electoral contest in Srinagar and Baramulla had achieved great significance. It assumed importance as a vote on the political future of Sheikh Abdullah. In the battle for the vote, the contesting parties left nothing to chance. Some alluded it to a vote on the slogan of, "Sheikh Hataav."(Remove Sheikh).

For the first time a blistering attack was launched against the personality of Sheikh Sahib. Land Grant bill was the weapon most used against him, which accused him of conspiring to sell

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off Kashmir. In a public rally at Sopore which was addressed by younger generation leaders of Jamaat e Islami and other organizations, it was declared that the election was a war declared by entire kaum against an individual and his family. The opposition to Sheikh Mohd.Abdullah, instead of concentrating on the undeniable poor economic conditions of the State, employed puerile rhetoric that failed to cut any ice with the masses.

Mufti Azam Mufti Bashir ul Din called a press conference during the same period. Expressing his disappointment with the current political set up he stressed the need of a new organization to provide relief to people and work for materialization of the peoples' aspirations. Taunting Sheikh Sahib in an oblique reference, he said in Urdu, "aaj 1931 ka koyi Majnoon, 1977 ki Leila ke saath wabastgi ka daawa nahi kar sakta" roughly translated it would mean that a lover of 1931 could not claim a 1977 damsel's love. In an obvious reference to National conference he added that the people were in no mood to accept a party's or an individual's word as the last word. The opposition's attacks on Sheikh Mohd.Abdullah were getting vitriolic and worse still, resorting to character assassination. They had trained their guns solely against him and his party, leaving Congress candidate in relative peace.

In his first election speech Sheikh Sahib denying the allegations of nepotism and accumulation of wealth challenged the independent candidate Moulana Iftikar Ansari to prove that he, Sheikh Sahib, owned any property in Gulmarg, Tangmarg, Pahalgam, or Jammu as alleged. The forceful speech of Sheikh Sahib had impressed the public so much that it became difficult

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for the Moulana to address any other campaign speech. The traditional conflicts of Sher and Bakras surfaced again with heightened tension, Section 144 was clamped in the areas of Zaina kadal and Maharaj Ganj on 8th March.

On 7th March Ithad al Muslmeen and Jamet Al Hadees had called a mass meeting jointly in Muslim park near Jama Masjid. The speeches delivered there by some of the leaders provoked the crowds who indulged in arson and stone throwing. Police was compelled to use tear gas to disperse the crowd and restore peace. Following this incident sher-bakra clashes took place at several places in Nowhata area. Moulana Faroukh appealed for a general strike on 8th.March that received response in areas of his influence.

The mutual relations between the state Congress party and Sheikh Sahib were deteriorating by the day. When Sheikh Sahib took over the leadership of National conference into his own hands, the congress party both at the state level and the centre got the message not to expect Sheikh to be a mere figure head. Slowly but steadily the rift was getting more pronounced. It became quite noticeable when Sheikh Sahib despite opposition from the congress party announced holding of municipal elections.

Well aware of their bleak prospectus in any elections, the Congress already routed at the centre, was vehemently against elections to the Panchayat or Municipal bodies. In Kashmir Sheikh's National conference was the Damocle's sword over their head while in Jammu it was that of Jansangh. Study of

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disclosures and various utterances by Sheikh Sahib between 24th and 26th September make obvious the differences between him and the Central leadership that had cropped up.

Sly remarks by Moulana Farookh that a chief Minister who can't even concede the right for the municipal body elections to the people, can't be expected to guarantee a respectable existence for the people of Kashmir" infuriated Sheikh Sahib. Enraged with such remarks and in utter haste he addressed a gathering at Eid Gah Grounds and declared holding of municipal elections besides challenging Moulana Farookh to prepare himself for the elections.

The declaration of the elections increased the tensions between the Congress and National Conference to alarming heights. In retaliation, the Congress demanded a proportionate representation in the council of Ministers. Sheikh Sahib called to Delhi to work out an agreement, accordingly inducted two more Congress ministers in his cabinet. Alas, this was a retrograde step, since both the candidates were not to the liking of Congress. A stalemate followed due to refusal of the Congress ministers to be sworn in, just when the formalities had been completed. The ceremony postponed on the suggestion of Mirza Afzal Baig, the cancellation of the municipal elections also was declared on this occasion.

The Janata wave and Governor's rule

The Janata party, a hurriedly organised outfit of disparate opposition factions of India to fight Indira's Congress, swept away Congress government in the parliamentary elections held in March 1977.This time Indira was not as lucky as she was in

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late 1969 when she had demolished a mighty opposition from within her own party called the "Syndicate". Indira Gandhi herself accepted a humiliating defeat. It was nothing less than a revolution in the history of India albeit a peaceful revolution that demonstrated the inherent strength of Indian democracy and the sensiblities of an average Indian voter.

Apprehending a possible link up of Sheikh Sahib with the Janta party, the State congress chief Mufti Mohammed Syed wrote to the Governor withdrawing Congress support to Sheikh Sahib and asked for permission to form the Government in the State as it enjoyed a majority in the Assembly. The letter was sent on 25th March 1977 when Sheikh Sahib was in Delhi. However, Sheikh Sahib outwitted the Mufti and his Congress party by getting the house dissolved with the support of the Governor L.K.Jha. The drama that followed the withdrawal of support to Sheikh Sahib by congress makes an interesting reading.

On 25th March while National conference workers were celebrating their dazzling victory in the parliamentary elections, in came the stunning news of withdrawal of support by the Congress of Sheikh Government. Mufti Mohd.Syed, president of Congress in Kashmir, in his letter to the Governor mentioned that Congress party had supported Sheikh Abdullah with the belief that he would strengthen the unity and secular forces of the state. Instead of such hopes materializing, a reverse trend occurred resulting in lack of development of the State. Owing to these alleged reasons, congress party withdrew its support to the ministry of Sheikh Abdullah.

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This news electrified the political scenario of the State. All the anti Sheikh forces who had received a set back in the recently held elections got a new breath of life thanks to the greed for power of the Congress party. It was a case of greed, not adversity, making strange bedfellows. Next day National conference workers took out a procession to express anger against this decision of Congress; a combined force of anti Sheikh elements attacked them in violent clashes.

The news created a tense situation for the Delhi political circles too. They understood well that new problems would surface in Kashmir dealing with which might be difficult. Even stalwart Congress leaders like Syed Mir Qasim were unhappy with their party's decision. The election of Mufti Mohd.Syed as the leader of Congress legislature committee came under criticism as an irregular procedural jugglery. However, the Mufti Congress found support from Jamaat e Islami, which had five members in the Assembly.

Sheikh Sahib met some central Congress leaders in Delhi to discuss the development but felt disheartened by their attitude. It was obvious that Congress leadership at the centre had gone into a limbo following the humiliating defeat in the parliamentary elections and the provincial party branches were rudderless. Following a disappointing response from the Congress central leadership, Sheikh Sahib, addressed a letter to the Governor advising him in his capacity as the Chief Minister to dissolve the Assembly. The political circles in Kashmir got the electrifying news on 27th.March 1977 when Governor L.K.Jha dissolved the State Assembly and declared Governor's rule in the state.

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For the first time after abolition of monarchy, Kashmir was witnessing Governor's rule. The decision came as an anticlimax to the Congress circles who were expecting to be the new rulers of the State. They had all assembled at the Governor's Jammu residence to demonstrate their strength in numbers but the Governor's decision of taking over the administration read out to them coming as an anti climax, shocked and angered them. In the parliament, the Congress M.P Dr.Karan Singh declared the Governor's decision as undemocratic, a remark that carried little conviction to the Parliament or the people at large.

Shri Charan Singh the Home Minister while speaking in the house declared that according to the J & K State's constitution Governor's rule can last only for six months so the assembly elections would have to take place at the earliest in the state. Shri Atal Bihari Bajpayi in his address to the house said, "by withdrawing support to his ministry the congress party has betrayed Sheikh Mohd. Abdullah. Their purpose also reveals their intention to create a new problematic situation for the central government.

On 30th March the minister for interior declared that elections to assembly in Kashmir would be held to three months time. During the Governor's rule Congress in Kashmir all but disappeared, an old ex colleague of Sheikh Sahib, Mohi- Ud- Din Kara hurriedly established the Kashmir branch of Janta party. From a sworn socialist to a strong admirer of Pakistani politics, he had changed several ideologies so far. In a function held at Lal Chowk, Kara Sahib got the Janta flag hoisted; also present along with him in that function was Pt.Tika lal Taploo the Jan Sangh leader of Kashmir besides Ghulam Rasool Kochak and the chairman of the powerful Kashmir Motor Drivers Association. Forgetting the famous saying, Dilli hanoz dur ast; *(Delhi still remains far away!*

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Prophetic words ascribed to an Afghan warrior advancing towards Delhi while he was striking a camp for the night only some kms away from Delhi.No soon had he spoken these words that the raised dias from which he was speaking gave way and he died on spot."). Kara Sahib trying to be sarcastic contented that during his two years rule Sheikh Sahib could only claim the attainment of "Accord" (referring to accord of Sheikh with Indira) and his chair (as chief minister); both of which had eluded him now. Later he,Kara, must have rued his unseemly haste and misplaced euphoria with his public denunciation of the down but not out Sheikh Abdullah.

Moulana Farookh too had earlier expressed the same sentiments while exhorting people to seal the fate of an autocratic party and of one individual in the approaching elections. According to him, the "Accord" was only a means to grab the seat of power. A booklet, titled "Lal Kitab" was circulated clandestinely with political motives that leveled charges of corruption on Abdullah family.

Taking out of processions restarted with the advent of Governor's rule. Mostly sponsored by the known anti Sheikh Abdullah parties and groups the processions were meant to galvanize public opinion against Sheikh Sahib and his party. The young student bodies became prominent in these demonstrations. During the two years of National Conference rule led by Sheikh Sahib, several measures initiated by him had proved very unpopular with the people. The most criticized step was that of reduction in subsidy that had cut into the pockets of common man.

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The intensified activities of Sheikh Sahib's opponents resulted in doubts about his continued popularity with the masses. These doubts were strengthened by the measures Sheikh Sahib had initiated with the long-term view of creating a more prosperous state, but which were resented by people with a narrower vision and a desire for immediate gains. The major irritants that caused the public disenchantment were as mentioned below:

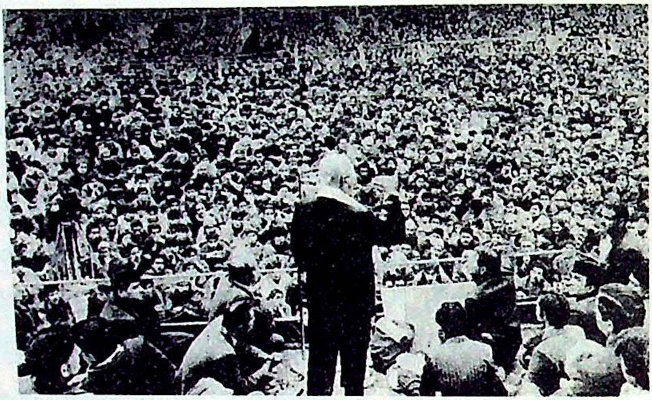
Reduction in subsidy ,favor to family (since Begum Abdullah had been nominated to fight parliamentary elections in preference to Shamim Ahmad Shamim), progressive abolition of permit Raj, (which affected many big contractors and route permit monopolists) Land grant bill, which according to the opposition amounted to selling off Kashmir. The charges against Sheikh did seem serious and substantial enough to damage his political career.

A grim atmosphere gripped the valley, which expected the arrival of Sheikh Sahib sans ministerial powers from Delhi shortly. However all the doubts regarding Sheikh's popularity were laid to rest by an unprecedented welcome that he received on his arrival in Kashmir on 7th.April.

Khanabal, the gateway to Srinagar was overflowing with crowds that had gathered there coming from far-flung areas. Baig Sahib accompanied Sheikh Sahib in his motor cavalcade's sojourn from Jammu. An ugly incident occurred at Khannabal when a sizable student gathering of Kannabal College indulged in stone throwing of the Sheikh's party that had turned into a massive procession. This mischievous act infuriated some of the frenzied processionists who entered the college premises, beat the students and staff there besides causing great damage to the

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college property. En route to Srinagar, Sheikh Sahib addressed people at several places including Bij bhara, Awanti pura, Pampore etc. On reaching Srinagar, Sheikh Sahib addressed a massive public meeting. A mammoth crowd had been waiting for his arrival.



Addressing the crowd he said, "We wish to cooperate fully with the Janta Government but I can't handover the future of my kaum to Janta party. Now it has become obvious that Mrs.Indira Gandhi had malafide intentions. During the last few days, a silent revolution has overtaken the country, which affected Kashmir too. While we were studying the results of this revolution, a message from the Governor informed us that Congress party had withdrawn support to our government. I met Mrs. Gandhi and asked her the purpose of such a move; I also informed her that the set back it would cause to the developmental programmes we had undertaken. Seems Mrs Gandhi had made up her mind that the power be transferred to the Congress party again. Congress now wiped off from North India, she wanted a Congress government in Kashmir, as the

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presence of Congress would be a political prop to her. Had we denounced this action we would have been behind the bars once more. These people had made all such plans but Almighty's plans were different. These people have brought miseries to Kashmiris for last 20 years now we will not allow them to raise their heads again, we will use the power of vote to get rid of them. Refering to Mr. Karra, Sheikh Sahib disdainfully added, "Once he was waving the flag of Pakistan here, now he is waving the flag of Janta party".

Rattled by the massive public welcome to Sheikh Sahib, and to face the elections, the anti -Sheikh Groups got busy with the plans of presenting a united front. Moulana Farookh, Moulana Iftikhar, Moulana Abbas Ansari, Ghulam Rasool Kochak, Abdul Ghani Lon, Ghulam Ahmed Mir and others attended several meetings held at Mir Waiz Manzil. They all decided to persuade Moulana Mohd.Masoodi and Soofi Mohd.Akbar to lead the anti Sheikh front.

Meanwhile Janta party was making frantic efforts to create its own party in the state. Several workers of National conference, Congress, and opportunist elements from other parties joined them. The followers of Bakhshi Gh.Mohammed also revived their group with a view to collaborate with Janta. There appeared to be rush for joining Janta. Some believed Janta wave had overtaken Kashmir as it had done the rest of the country. Even politicians who had left Kashmir long back returned with intention of joining the Janta bandwagon. These included Sh.Prem Nath Bazaz from Delhi and Ali Mohd.Tarak of Bombay.

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While this rush of prominent and not so prominent personalities onto the bandwagon of the new state party gladdened the hearts of Janta party leadership at the centre, the people of Kashmir felt skeptical about the developments. Several Janta leaders visited the state and met a large number of people to assess their poll prospectus in the state. It was decided by the Janta leadership that the state Janta party leadership be assigned to Moulana Masoodi. Ashok Mehta and two of his colleagues reached Srinagar and an announcement was made that Moulana Masoodi will be the convener of Janta party. It was evident that Moulana Sahib who had remained aloof from mainstream politics for long did not need much persuasion to accept the leadership of Janta party in Kashmir. Ironic it might sound but it remains a fact that Moulana's known stand on political issues including that on Kashmir had no semblance with the declared aims of the Janta party. The possible logical deduction is that Moulana Sahib accepted this assignment only with a view to help the anti- Sheikh front in the approaching assembly elections.

The Valley charged with a tense political atmosphere, numerous demonstrations, processions, and statements by politicians denouncing Sheikh had become a regular feature. On 11th April students took out a well-organized procession from S.P college premises shouting anti Sheikh slogans and demanding an inquiry of Khannabal clash in which several students had been injured. The student procession turned violent when it reached the Polo ground and forced the closure of shops. The leaders connected in one way or the other to some political parties formed the vanguard of the procession. The intention of the protagonists was to present a picture of the youth disenchanted with Sheikh and his National conference.

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A new youth organization All Jammu & Kashmir youth federation came into existence soon after this violent procession. They started their activities under the overall leadership of no other than that of Sheikh Mohd.Abdullah himself.The Federation started extensive membership drive in the State under the slogan, "MOEJ KASHEER" "Our mother- Kashmir". Mirza Afzal Beg, Begum Abdullah, addressed the Federation amongst others and held regular public meetings. Article 370 was the most widely topic talked about in these meetings. Amongst several rallies of this Federation, the one organized at Anant Nag was probably the biggest .An estimated crowd of 200,000 youth attended this rally.

The reply of Jai Prakash Narayan to a letter from Mr. Kara set up a chain reaction in Kashmir. Reportedly, the letter mentioned the gulf between the state and the centre would end with the efforts of Janta party-Kashmir. Sheikh Sahib very strongly expressed his reaction to this letter in his communication to Chandar Shekhar. Subsequent to this several Janta leaders visited Kashmir expressing their confirmation of Article 370 and conveying reassurances to Kashmiri public as also the politicians about the Article, which could evoke strong sentiments amongst Kashmiris.

Solitary incidents apart, the people could feel the democratic system at its best. Entire country had proved the possibility of bringing to its knees the mightiest of governments by the democratic means of voting. Whatever doubts had arisen in the past regarding rigging had yielded place to an atmosphere of trust and respect for the ballot. People were no more apprehensive about subversion of a fair election process. This lent a new, never before experienced respect for the democratic

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system of elections. People also became aware of the extra ordinary power they possessed to wield for their future.

Kashmir had never before experienced a free and fair election, but now they were convinced that this time there could be no scope for anyone trying to sabotage or rig the ballot. Everyone felt that this crucial election would have a long lasting impact on Kashmir and its people. The main parties contesting the election were Janta, Congress, and National Conference. Only Janta and National conference nominated their candidatures from nearly all the available seats. Congress put up candidates for nearly 75% of the seats while Jamaat Islami put up its candidates only from some selected constituencies. In Jammu province, the major contestants were Janta and Congress. National conference had put up its candidates in Jammu proper and only a few other constituencies but was focusing on Dodda, Rajouri and Poonch.

Janta partys' optimism flowed from its experience in the rest of the country where the Janta wave swept clean everyone that stood in its way. They nourished the hope for a similar situation arising in Kashmir of course with a good reason. All the disgruntled political elements of Kashmir, and there were many of them, flocked pell mell into the newly opened Janta offices, each of them secretly desirous to have a slice of the cake. To add to the Janta's euphoria the sight of thousands of their flags flying atop houses and shops in direct competition with the National Conference flags in down town Srinagar made prediction of election an impossible task. The areas of Srinagar where Janta flags were fluttering were areas where even Congress had not dared to encroach. The battle of flags intensified with each

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passing day. Flags substituted pamphlets, posters, and hoardings in this election battle.

The war of flags however deteriorated to physical assaults when the Janta leader Moulana Farookh reached Anant Nag with a mighty cavalcade of more than a hundred vehicles. His action gave rise to tension amongst the town people there and the ensuing skirmishes between the locals and his followers attracted police action in a big way. Moulana and his followers had to face the wrath of people at Bijbara and Awanti pura too who mostly were National Conference followers or sympathisers. The purpose of Moulana's provocative tour into the well-known strong holds of National conference remains a mystery; some people are of the opinion that it was a deliberate ploy to provoke the National conference workers into violent acts that could be used as a plea to have the elections postponed.

Sheikh Sahib's heart attack

June1977- Mid June heralds full summer in Kashmir. The snow is hardly visible even on the distant peaks and the blossoms are all gone. Though lethargy descends on the populace during this period, the excitement of the forthcoming elections had kept the valley in a state of near frenzy. The news on 13 th June reached the people that Sheikh Sahib was ill. A sudden heart attack had made his situation critical. The Governor and whole of the top bureaucracy rushed to his residence. Begum Abdullah and son Dr.Farooq Abdullah were out of Srinagar at that time. On being notified, they rushed back to Srinagar. The Governor Sahay informed the leaders at Delhi and some cardiac specialists rushed to Srinagar from Delhi undertook Sheikh Sahib's treatment. The patient who was now around 72 years old was

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fighting a battle for his life. Around 5p.m, the Doctor's bulletin described Sheikh Sahib's health position as stable and satisfactory.

In Kashmir, papers came out with special editions discussing Sheikh's health status while Radio Kashmir kept the populace informed of his condition through frequent special bulletins. Meanwhile the common people suddenly found themselves drawn into a vortex of anxiety and sympathy for their leader. Large numbers of people spent the night of 13th June in mosques praying for his health or outside his residence as if they could bar the agents of death from entering the gates of the residence that had achieved a hallowed status within a few hours only. Khankah Moula was overflowing with people from the surrounding localities for prayers on 13th itself. 14th June saw numberless prayer assemblies held to pray for Sheikh Sahib's recovery. The biggest congregation of nearly a hundred thousand people had assembled at Chrar Sheriff for prayers. HazratBal mosque found its Imam himself leading the prayers on 18th June.

To the utter dismay of his political opponents most of these prayer meetings ended as election rallies without any efforts by National Conference. Political analysts now no longer entertained any illusions about any anti Sheikh wave having taken place in Kashmir. The fact that despite some unpopular measures undertaken by Sheikh Sahib in his capacity as the Chief Minister or the misconceptions fuelled by his political opponents had in no way diminished his popularity with the masses of Kashmir. What had whetted the appetite of his opponents was the extremely high degree of anti incumbency factor expected to throw Sheikh Abdullah out of Kashmir

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political scene for good. It was remarkable how the people felt almost orphaned with the adverse health news of Sheikh. The thanks giving by the people on his recovery manifested in traditional sacrificing of sheep amounting to hundreds of thousands of Rupees.

Upset but undeterred by such a massive swing in public sentiments the local Janta leaders resorted to engineering of violent incidents. The aim was to project an image of certain victory for Janta if only the alleged muscle power of National Conference could effectively be dealt with. Several top Janta leaders from Prime Minister Morarji Desai downwards were persuaded to visit cities, towns, and even remote villages. The home Minister at the centre was repeatedly fed with reports of clashes endangering law and order; to the extent, he openly warned the responsible elements of possible repercussions against them. Hundreds of National Conference workers were arrested in mid night raids. So effective was this strategy and the propaganda unleashed by Janta party of Kashmir that a seasoned veteran leader like Jagjivan Ram,himself a man of advanced geriatric stage, chiding Sheikh Sahib in a public speech at polo ground said, "Sheikh Sahib is an old man now. He must retire from politics and seek rest."

The central Janta leadership however got divided in their policy towards the elections in Kashmir. One section argued in favour of adopting all the means (regular or irregular) to win Kashmir electoral battle, but another section represented by Atal Bihari Bajpai and George Fernandes decried use of any irregular means during the ballot and advocated strict adoption of fair means, no matter what the results are. The absence of Sheikh Sahib from the battle of ballot that had assumed a unique position in the

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history of Kashmir, was a great set back to efforts of National Conference.

Just two days prior to polling date a prerecorded speech of Sheikh Sahib played to a massive crowd in a National Conference election meeting had an unimaginable impact on the audience. Eyewitness accounts described it as as electrifying, many people broke into tears, for their leader of half a century was incapable to be with them physically.

The polls on 3rd July ended peacefully after a record 75- 80% of votes had been cast. Women voters had outnumbered the male voters. The results to the Assembly elections started pouring in from 4th afternoon and by 5th evening all the results had been announced.

National Conference had secured 47 seats out of the total of 76seats.Janta party had won only 16 seats out of which 13 were from Jammu. While Congress trailed behind with 11 seats. The rest of the successful candidates were independents

It seemed National Conference had secured victory over more seats than they had hoped. The fact remains that this victory was more due to Sheikh's personality and his rapport with the masses, than the popularity of National Conference as a party. Several commentators ascribed the victory to the sympathy generated for Sheikh Abdullah because of his failing health. Some of his detractors even accused him of having feigned sickness to generate sympathy of people in his favor. Such hypothetical and irresponsible remarks are not surprising given the charged atmosphere of the times combined with the lack of elementary grace as shown by several leaders notably, Shri Jagjivan Ram in his speech.

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Making his first public appearance since his illness, on 7th July, Sheikh Sahib briefly addressed a record crowd of around 300,000 people at Pologround Srinagar. Beginning his short speech after quoting Iqbal:

Jab ishq sikhata hay adab khud aagahi,
Khiltein hein ghulamun par Israr Shenshahi.

(When slaves regain the sense of self-respect, they acquire the strength of sovereigns.)

Needless to add the applause to one of his shortest ever speeches, was one of the most thunderous ever witnessed in Kashmir.

Sheikh Sahib was sworn in once more as the Chief Minister of the state on 9th July 1977. The outstanding success of Sheikh Abdullah had a pacifying effect on the political climate of the state after nearly half a century of struggles, tensions, and periods of uncertainties. The changed atmosphere filled the peoples' minds with a sense of tranquility as it humbled and pacified those politicians who had been trying to project their larger than life images.

The unimagined magnitude of Sheikh's victory gave rise to doubts in the minds of central leadership about the possible attitude of Sheikh Abdullah's attitude towards the centre. The grounds of such apprehensions were founded on their own actions and statements against Sheikh during the Assembly campaign in J&K. The most objectionable attitude adopted was by that of M/s Ch.Charan Singh, Morarji Bhai and Jai Praksh Narayn himself. However, they were the first to send glowing congratulatory messages to Sheikh Sahib on his brilliant success.

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The clouds over Kashmir's political life having been cleared and a clear picture having emerged after Sheikh Sahib's victory, compelled the renewed attention and assessment by thinkers and analysts all over the subcontinent besides the leading most world capitals.

All India communist party general secretary Mr.Namboodri Pad denounced the attitudes adopted both by Congress party and the Janta. He strongly recommended a review of the Kashmir issue in totality.

The noted journalist Prem Bhatia, commenting on the political scene spoke about the lack of knowledge about Kashmir affairs of M/s Morarji, Ch.Charan Singh and Jagjivan Ram; the three central leaders who had blundered all the way during their Kashmir election campaign. Morarji had even gone to the extent of supporting one of the staunchest pro-Pakistan workers of Kashmir, Mir Waiz Moulana Farookh. Commenting on the speeches made by Janta leaders wherein they had made defamatory attacks on Sheikh Sahib's personal life, Mr.Bhatia expressed regrets over the extreme political immaturity as demonstrated by India's seasoned leaders mentioned above.

Concluding his detailed analysis Mr.Bhatia wrote, "the result of the bungling by these leaders is that Sheikh Abdullah now is not only politically more powerful but the possibilities for any non state political party establishing itself in the J&K state are sealed for a very long time to come." Prophetic words indeed, as the future events revealed!

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Chapter-12

Diplomacy of friendship post elections, Indira Gandhi's visit to Kashmir, President Sanjeeva Reddy's visit to Kashmir, Coup de'tat in Pakistan, Rise of provincial parties, Family frictions, Farooq's nomination, passing away of Sheikh Abdullah.

For achievement of his political objectives as envisaged in the Kashmir Accord, Sheikh was pragmatic enough to understand the obstacles involved. He clearly understood the need for developing better and closer relations with the other important political parties having a national presence. Making a beginning with the ruling Janta party, he deputed Mirza Afzal Baig to negotiate and mend the strained relations with the Janta leadership. On his return from Delhi, Baig Sahib hinting at the removal of mutual tensions with Janta party announced, "There is no possibility or need of any confrontational policy with the centre."

Congress had announced its support to National conference in the Assembly; this initiative was taken by the local congress leaders on their own for they had correctly foreseen a dark future for themselves had they remained in isolation. Rebuilding bridges with Indira Gandhi was a relatively easier job for Sheikh Sahib. He took advantage of Congress declaration to work in tandem with National conference and extended a personal invitation to Indira that she accepted with obvious pleasure.

Indira Gandhi stayed in Kashmir for several days. Speaking to a National conference rally in Sher- e- Kashmir Park she said, "The relations of my family with Kashmir go beyond those of blood but encompass even sentimental and emotional

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relationship. I have come here on the invitation of Sheikh Mohammed Abdullah who is not only the leader of Kashmir but also counts as one of the leaders of the Indian nation."

At this time, Indira fallen on bad days was being persistently hounded by the Janta Government, every day saw some new accusations genuine or false blamed on her. Many a people in the country viewed the warm welcome she was receiving in Kashmir with suspicion and hostility. Sensing the uneasiness of anti Indira elements Sheikh Sahib, in an attempt to preempt any opposition thrust, while addressing the Legislative Assembly, stated, "Our relations with Nehru family are personal in nature. These relations remained in tact even when I was in prison. Despite our differences with Smt.Indira Gandhi, we have to look at the positive side of her role, a role that we cannot overlook while considering some of our most important affairs. We also have friends in the Central Government that include the Prime minister, the home minister, and the minister for information. In fact we will maintain friendly relations with any political party that comes to power at the centre."

In accordance with Sheikh's policy, an invitation was extended to the President Shri Sanjeeva Reddy to visit Kashmir. The President who was accorded a rousing welcome during his river procession in Srinagar affirmed the historical accession of J&K state with India on the combined basis of secularism and socialism. In his speech, Shri Reddy further affirmed the importance of 1975 accord and its acceptance sans any twists or modifications. Against this backdrop, the silence of Pakistan Government on the election results of Kashmir was intriguing if not surprising.

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Events in Pakistan

It is futile to deny the influence of Pakistan on Kashmir politics just as it is to deny the presence of a national problem regarding Kashmir. Since1971 Pakistan's influence on Kashmiri Muslims had been waning but some people in Kashmir continued to nourish high hopes from a well developed and well off Pakistan. These very people had aligned with Janta party during the assembly elections.

The elections to Pakistan's National Assembly and provincial Assemblies were held on 7th.March 1977. The announcement of the election results triggered a nationwide agitation against Premier Z.A.Bhutto. The opposition accused him of wide spread electoral manipulations. The agitation turned into a law and order problem in no time. The cases of armed group clashes and arson increased, giving the protest a dangerous turn. Numberless buildings and public property were set ablaze. Despite severe repressive measures taken by the administration, the situation got out of control and beyond the capacity of police to control. Army was called in to control the agitating civilians. Mr. Bhutto got busy in negotiations with the opposition leaders conceding several of their demands, but his time had run out.

On 5th July the army staged a coup d'ētat under the leadership of General Zia ul haq and martial law was declared in whole of Pakistan. The changed conditions in Pakistan which had been reduced to a state of near civil war demoralized their sympathizers in Kashmir and the people of Kashmir started appreciating the far sightedness of their leader who had understood the psyche of Pakistani leadership much earlier and steered the course of his kaum accordingly.

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However, some Kashmiri diehards desirous to keep their stand alive restarted their efforts to gain public sympathy and support. In this context, a new organization by the name of United peoples' front was set up under the leadership of Moulana Abbas Ansari. The main declared plank of this organization was to hold plebiscite in a neutral, non-partisan atmosphere to decide the accession of Kashmir either with India or Pakistan and to prove the invalidity of state's declared accession (with India). Nothing more was heard of this organization after its much-publicized establishment.

After June 1977, the political scenario had drastically changed in India too. Congress having lost its premier position in the centre, several provinces were now under the rule of their provincial parties. The trend was getting stronger, Akali Dal in Punjab, CPM in West Bengal & Tripura, A.D.M.K in Tamil Nadu, United Democratic front in Nagaland, Gomantak Dal in Goa, besides National conference in J&K were the non congress parties running their States. Even the Congress in power of various states like Maharashtra, Karnataka, and Andhra ridden by factionalism worked at cross-purposes.

The provinces were demanding increased powers and higher incomes from central revenues. West Bengal Chief Minister Shri Jyoti Basu suggested a united approach of non-congress states for their demands to Sheikh Sahib during his visit; however, Sheikh Sahib pointed out to him that his State already had a special status and was only concerned with getting the amendments made in Article 370 nullified.

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The last years of Sheikh Sahib

Again on the helm of affairs, Sheikh Sahib resumed work on his unfinished agenda. Meanwhile subtle changes had started in his immediate surroundings involving both his family and his party that did have an impact on the future history of Kashmir.

Mrs.Khalida Shah and her husband Kh.Ghulam Mohammed Shah had been working consistently for the various campaigns of Sheikh Sahib. Shah Sahib keeping in view the advancing age of Sheikh Sahib had extended his sphere of influence in both the party as well as the administration. Even his admirers in Delhi were getting closer to him. He was not comfortable with Sheikh Sahib's inclination towards son Dr.Farooq; with the result, a breach was underway in the relations between the brother and sister. Begum Shah felt her husband had a better claim to succeed her father both at the party and at the ministerial levels.

It is common though highly unfortunate in Oriental societies that the persons in power have brought their heirs even though mediocre into politics because they would be unfit to hold a proper job in some other walk of life.Sheikh Sahib made his inclination towards son Dr.Farooq public when at Iqbal Park function held on 21st.August he announced,

"In 1930, Pt.MotiLal Nehru had entrusted the Presidentship of the Indian National Congress to the new generation led by Pt.Jawahar Lal Nehru, and we have witnessed how well that has served the congress. Today I see myself standing on the same delicate crossroads. I am handing over the presidentship of National Conference to the new generation represented by Dr.

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Farooq Abdullah. This is a great honor and a big test for the new incumbent. I am hereby putting a crown of thorns on his head; I hope that Dr.Farooq Abdullah will prove worthy of it. I pray to God that he may come out successful in the test. Colleagues, I am overwhelmed by the great importance of the occasion. I am grateful that He had selected me for discharging a great trust and I am grateful that He gave me the requisite strength ever since 1931. I thank all those friends and colleagues who supported me in face of all trials and tribulations. If I had not had their trust and confidence, I could not have discharged the trust given to me. I also pay my respects to the martyrs who sacrificed their lives in the services of the nation and those sisters who sacrificed their own *"suhag"* for the country."

Following this public announcement, the leading luminaries of National Conference were asked to sign the personal loyalty pledge. Mirza Afzal Baig avoided doing so by saying the matter be discussed in the party forum. Shortly later Baig Sahib resigned.

Sheikh Sahib, sought introduction of one of the major constitutional changes through the instrument of what is known as Jammu and Kashmir Grant of Permit for Resettlement Act 1982. This act has generated lot of heat. Layers of dust raised by controversies on the issue have covered the bona fide purposes of the act.

The legislature was intended to fulfill the constitutional requirement for return and resettlement of the state subjects who had been separated from their kith and kin during the long years of military actions on the border. The Act was probably a

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parting gift to the people of Kashmir by Sheikh Sahib which however proved a bone of contention and a source of long drawn litigation. It roughly defined an outline for the ideal of a Greater Kashmir and in a way asserted his lifetime goal.

Destiny had willed otherwise. The curtain of gloom fell on the phenomenon that Sheikh Mohammed Abdullah was on 8th September 1982 when the great leader of Kashmir passed away leaving the state to suffer decades of political upheavals, blood baths and anarchy.

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Book-3

Kashmir post Sheikh Mohammad Abdullah.

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Chapter-13.

Dr.Farooq as C.M, Resettlement bill, rigging of assembly elections, Farooq's alignment with Mir Waiz, clash with Congress, Indira shamed, G.M.Shah as C.M, Rajiv Gandhi and Kashmir.

Dr.Farooq was sworn in as Chief Minister on 8th sept '82 following the demise of his father. In 1984, the Farooq Abdullah government was dismissed by the Governor and replaced with a pro-Congress government under Ghulam Mohammad Shah. The reasons for the humiliating dismissal were not surprising to any one least of all to the Kashmiris. In 1986, that government too was dismissed and a new National Conference–Congress government was sworn in again with Farooq Abdullah as the Chief Minister. A new election was held in 1987 and the National Conference–Congress alliance won the election amid wide spread allegations of fraud. This period saw a rise in militancy in the state, with the return of trained militants from Pakistan and incidents that included the kidnapping of the daughter of the Union Home Minister. Subsequently, the Farooq Abdullah government dismissed once more, the state was brought under President's rule again. In 1996,Farooq Abdullah was once again sworn in as Chief Minister of the state, his fifth time. In 2002, Farooq Abdullah was elected to Rajya Sabha from Jammu and Kashmir for his first six-year term. Subsequently re-elected in 2009 Farooq Abdullah joined the United Progressive Alliance government as a Cabinet Minister.

First term of Farooq Abdullah as Chief Minister

Farooq Abdullah was a novice in the political arena when he was appointed president of the National Conference in August 1981.

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Seemingly, his main qualification was that he was the son and heir of the National Conference founder and undisputed leader Sheikh Abdullah. After his father's death in 1982, Farooq Abdullah became the Chief Minister of the state. The rule of Farooq Abdullah was subject to several disputes and criticisms both at the official as well as at his family level. It is quizzical how he became Chief Minister of J&K state not once but record number of times despite the severe opposition of not only his opponents but even the whispered complaints of his own followers about the fast deteriorating political conditions of the State.

Though his succession after his distinguished father's demise was brought about by tacit support of Mrs. Gandhi and the then Governor Shri B.K.Nehru, the relations between him and Mrs. Gandhi soured soon afterwards. The trouble began with Farooq's unseemly haste to push through a bill that was highly controversial and contrary to established laws governing the citizenship rights of the country. He introduced the bill in J & K Assembly, known as Resettlement Bill or Bill No. 9, according to which, persons who have left Jammu & Kashmir state & fled to Pakistan & Azad Kashmir in 1947 during the period of rioting, could come back to their actual homeland. The bill returned back by the Governor Shri B.K.Nehru who understood how the bill stood in contrast to citizenship rights as per the constitution of the Republic, was approved in the second presentation when re forwarded by the State Assembly.

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However, the bill became a subject of much controversy as it clashed with the citizenship laws of the country. The case was put before the Supreme Court, which in a historic judgment rejected it. Covering the case and judgment the press reported, "The Resettlement Bill was presented to the then Jammu and Kashmir Governor, B.K. Nehru. He consulted Nani Palkhivala who took the view that the Bill would not stand scrutiny in any court".

Dr. Abdullah, more out of his anxiety to appease the sworn foes of his late father than any logical conviction, had the Jammu and Kashmir Assembly pass the Act regarding the resettlement in 1982 and it was referred to the Supreme Court as Presidential Reference No. 1 of 1982.

While the reference was pending with the court, a person migrated from West Pakistan and not a permanent resident filed a writ petition before the Supreme Court. He pointed out that despite having been in India for forty years, persons like him were denied basic rights including the right to acquire immovable property, right to employment, right to start an industry, the right to purchase transport vehicles and the right to higher technical education. (Bachan Lal Kalgotra vs State of Jammu and Kashmir AIR 1987 SC 1169).

As the Presidential Reference was pending, Kalgotra gave up the challenge to the Resettlement Act but requested the Supreme Court that persons like him who constituted eight per cent of the population be given the same rights as those who had migrated out of the state in 1947.

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Trouble started brewing after the State Assembly elections held in June 1983. The glaring irregularities of this election have left a very bitter taste amongst Kashmiris. In yet another about turn of his father's policy, Dr.Abdullah in his obsessive greed to cling to power resorted to adoption of unethical means to win the elections that damaged his reputation for years to come. The whipping up of religious and provincial passions became the main plank of his election campaign. Foregoing elementary prudence his alignment with Mirwaiz Moulvi Farookh, a sworn antagonist of his father, with the hope to strengthen his vote bank in predominantly Muslim majority areas did cost him dearly as the future events proved. Confrontation with Congress became a matter of public discussions.

The clash with Congress in the valley was disclosed to the public by Dr.Abdullah himself when he declared, "This election is a plebiscite to allow people to say which political party, National conference, or Congress they liked." Of course, in fairness to Dr.Abdullah it can be said that the politics of manipulations as practiced by Congress must have tempted the young politico to seek support from Mir Waiz the known antagonists of National Conference and all the fundamental principles that the party stood for.

The friendly relations between Congress and National Conference deteriorated to the extent that when Mrs.Gandhi was addressing a public meeting at Iqbal Park in June, violent disturbances occurred to disturb her speech. According to reports, even unmentionable acts of indecency were staged to end the event as one of the most shameful in the political history

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of Kashmir, a blot on the name of Kashmiri ethos. Farooq cannot escape the blame for his inability to prevent such a disgraceful occurrence even if innocent of having instigated the same.

The complaints of poll rigging were overwhelming in numbers as was the credibility of the complaints. Thousands of paramilitary forces sent by the election commission of India to assure peaceful ballot, free of interference by the trouble mongers were for reasons unknown kept either idle or assigned jobs that had no relevance to the election process, the purpose they had been sent for.

Capture of eighteen booths by the ruling party was proved by official enquiries. Unaccountable ballot papers were recovered at several places. The election results described as sham elections by many led the veteran Mufti Mohammad Syed to remark, "This is replica of Bhutto's 1978 Pakistani election. It lacks legitimacy and is based on fraud."

While the political edifice of the ruling party,National Conference, was crumbling, the terror acts manifested in several bomb explosions on 15th August. The disgraceful scenes of October 1983 in Srinagar shocked and angered the whole nation. While India was playing a one-day test cricket match with West Indies, Indian players were subjected to humiliation of extreme nature by a motivated section of the crowd. An attempt was made even to damage the pitch. The unruly crowds were waving Pakistani flags. All these happenings in Srinagar stadium were being televised live to the rest of the country, making it evident that Farooq Abdullah was a mere name sake

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Chief Minister who could not even manage a small event like a cricket match smoothly, leave aside assuring sècurity to an entire state.

If the politics of Dr.Abdullah showed very unwise and immature fundamentals, causing him several woes as the Chief Minister, his family front too was disintegrating fast, precursor of the evil that was to overtake Kashmir, posing him with dangers of a different kind. The short-lived marriage of convenience between the National conference and the Congress came to a bitter conclusion. The Congress launched an agitation against the Farooq led Government accusing it of misrule. In one of the congress led rallies, four persons lost their lives by police firing. Leading Indian politicians openly accused Dr.Farooq for his being a "prisoner in the hands of anti national forces".

The friction between the factions of National Conference was accompanied by increase in subversive activities. The deteriorating law and order situation in the neighboring state of Punjab and the loss of rapport with the central Government provided enhanced stimulus to terror in the state. Dr.Farooq was even accused of facilitating the anti- Indian Sikh separatist movement through devious means in order to obtain support of Akalis in the elections.

Contender GM Shah - Coup de' palace

The next contender for the succession of Sheikh Sahib was the combine of G.M.Shah and his wife Khalida Begum. Keeping a low profile during the period of Dr.Farooq, Shah Sahib besides being the son- in- law of Sheikh Sahib, had worked hard for strengthening the party, and had practically participated in

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every move that Sheikh Sahib had made. During the elections described above, he had managed to get some of his own personal favorites elected to the assembly reportedly through the good offices of his mother- in- law, Begum Abdullah. With circumstances getting out of control for Dr.Farooq Abdullah, G.M.Shah was in look out to strike at the first opportune moment.

By beginning of 1984, the rift between G.M.Shah and Dr.Farooq ceased to be a secret. Sheikh Abdul Jabbar of Kangan a supporter of G.M.Shah, raised the flag of revolt against Dr.Farooq by submitting a memorandum to the President of India demanding dismissal of Farooq. Mrs. Khalida Shah replaced Dr.Farooq as leader of the party in a party convention held on May 23rd. The convention described Dr.Farooq's eighteen-month rule as a blot on the history of National Conference and condemned his alliance with known anti national communal elements. This move of defiance against Farooq was followed by a spate of repressive measures taken by Dr.Farooq against his own party colleagues. His complacent state of mind belittled the possible impact of G.M.Shah's open revolt. Instead of attempting to bridge the yawning gulf, which had now widened beyond the confines of the family onto the party, Farooq, continued to live in the make believe world of his own imagination, far fetched from reality.

Shri JagMohan who was the Govenor of the J&K state at that time,in his book,"My frozen turbulence",has described at length the events that can be termed as a palace coup. According to him; On July 1st.1984,G.M.Shah accompanied by a group of MLAs and MLCs knocked on the gates of Raj Bhavan at 10.30

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p.m. demanding to meet the Governor Shri JagMohan. Refused a meeting at that hour the group was asked to come in the morning next day. The group refused to leave the premises fearing reprisals on the hands of Dr.Farooq's musclemen and requested to be allowed to spend the night at RajBhavan itself until it suited the Governor to meet them in the morning. Next day on 2nd.July the group met the Governor but this time they were also joined by the leader of Congress Legislature party Iftikar Hussaain Ansari. The Governor was presented with a letter purported to have been signed by twelve M.L.As, accusing Dr.Farooq for having abandoned the time-honored policies of National conference and thereby having lost the confidence of the legislative wing of the party. They further expressed the apprehensions of Dr.Farooq demanding the dissolution of the house to suit his malafide intentions. When asked by the Governor why they could not prove their numerical strength in the house, the group is reported to have expressed grave apprehensions to their and their families' safety, once Farooq learnt about their move to dislodge him.

According to Shri Jag Mohan he called Dr.Farooq for an urgent meeting in the Raj Bhavan. Briefing him about the development and the implications it would have, he advised Farooq to dissolve the house and pave the way for Governor's rule.

Dr.Farooq, according to the Governor was enthusiastic to the idea at that moment and left Raj Bhavan promising to send a letter to the effect from his office. Instead, the letter that the Governor received from Farooq, made a clean departure from the stand he had taken earlier in the morning and instead demanded a vote of confidence to be sought by him in the Assembly. Further

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Shri Jagmohan writes in his book, "As it was dangerous to have a vacuum in the state, I called upon G.M.Shah to form the Government. I obtained an assurance from him that he would call the Assembly within one month and seek a vote of confidence within that period."

The Governor called G.M.Shah to form the Government on 2nd July.In retaliation the Speaker of the house, on the complaint lodged by National Conference party sought the High court ruling about the disqualification of the twelve pro G.M.Shah members under the anti defection law. The high court did not accept the contention of the complainants. However, strangely the speaker in an unprecedented move, himself, passed an order disqualifying the twelve members, an act that stood in contravention of the High court judgement.

On July 31st the house business as notified included:

1-motion of confidence sought by G.M.Shah.

2-motion of no confidence against the speaker and

3-election of a deputy Speaker.

The leader of the house requested that the motion of no confidence against the speaker be taken first and the speaker should step down as long as the said motion was not passed. The speaker refused to accede to the demand because of which forty-three members of the house stood up in support of the motion and the speaker being removed, a member of the Chairman panel occupied the seat of the speaker for the meeting pending election of a new Speaker. The motion of confidence passed

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unanimously in favour of G.M.Shah, thirty-one members of Farooq group staged a walkout.

After coming to power the G.M.Shah ministry apparently exhibited a nonchalant attitude towards corruption as before. But the fact is that rampant favoritism and nepotism had become an integral part of governance that Sheikh Sahib himself tried to remedy after he assumed the Chief Ministership of the State following his long absence from the scene. Out of way favours had to be bestowed on unscrupulous power brokers by any, wishing to stabilize an administration based on several cliques created in the past.

In one instance, it was sought to allot land on proprietary basis to lessees at half the market value. The beneficiary list included ministers and senior civil servants. In this connection, it is essential to know that regulations like Urban land ceiling act, Capital gains tax, Wealth tax and Gift tax were not applicable to J&K at that stage. Therefore, the proposed legislation would have resulted in accrual of massive monetary gains for the clique for whose benefit it was intended.

The Governor having come to know about the matter demanded justifications of such an act, which upset not only the ministry but also the civil servants who had obviously prepared the case in an arbitrary manner. That was the end of this planned act of favoritism.

G.M.Shah's honesty of purpose or the lack of it became known when he allegedly, tried to misuse the administrative machinery for getting his son elected from Srinagar Lok Sabha constituency. He is alleged to have ordered DIG Kashmir and

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Director General of Police to abide by the orders of the State home minster, Kolchak, regarding the election.

It is alleged that Kolchak, in his enthusiasm even recommended a few bomb explosions to be carried out in order to scare the people away from the polling booths. The returning officer of the constituency was ordered to declare the poll victory of Muzaffar Shah even while polling was in progress. Not content with such desperate acts, there poured forth suggestions of indulgence in arson to destroy the ballot papers.

The Governor on 7th.March 1986 dismissed G.M.Shah's Government heralding the President's rule that lasted until 7th. Nov.1986, leaving behind the lingering doubts about the real reasons for dismissal of G.M.Shah only after a short spell of a few months.

(G.M Shah died on 6 January 2009 at the Sher-e-Kashmir Institute of Medical Sciences in Srinagar. He was 88.)

Dissmissal of G.M.Shah.

The dismissal of G.M.Shah Government was generally regarded as an irregular act on part of the Governor despite allegations of misrule as the grounds for doing so. What remains unsaid and unexplained is how come the previous incumbent, Dr.Farooq Abdullah managed to be back in power after a gap of hardly eight months.

There was no logical explanation forthcoming from the centre, albeit the constitutional correctness in dismissing the G.M.Shah ministry can be comprehended after understanding the legal instruments available to the Governor.

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President's rule (or central rule) is the term used in India when a state legislature is dissolved or suspended and the state is placed under direct federal rule. President's rule is enabled by article 356 of the Constitution of India, which gives the central government the authority to impose president's rule in any state if there has been failure of the constitutional machinery in the state. This is called president's rule as the President of India governs the state instead of a Council of Ministers who is answerable to the elected legislature. The state governor is delegated executive authority on behalf of the central (federal) government. The governor normally appoints advisor(s), who are retired civil servants, to help in administration. Since the President of India on the advice of the central government appoints the governor, in practice the ruling party at the center controls policies of governance.

Article 356 allows the president to dismiss a state government on the advice of the governor of the state or on his own if he is satisfied that the administration of the state cannot be carried out according to the provisions of the constitution. Once the elected government is dismissed, the President of India shall be the head of the state executive. As in practice, the President acts according to the advice of Council of Ministers at the Centre.

Article 356 gave wide powers to the central government to assert its authority over a state if civil unrest occurred and the state government did not have the means to end the unrest. Article 356 is one of the articles in our constitution that grant the Indian constitution certain measure of unitary character.

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Though the purpose of this article is to give more powers to central government to preserve the unity and integrity of the nation, the ruling parties at the center have often misused it. It has been used as a pretext to dissolve state government as evidently it was in case of G.M.Shah ministry, an untimely and hasty act which needs an in depth study of the forces active behind the curtain and evidently based on personal likes and dislikes.

Rajiv Gandhi and Kashmir.

Assassination of Indira Gandhi on 31stOct.1984 resulted in her son Rajiv Gandhi's swearing in as the Prime minister of India. Suitablity of Rajiv Gandhi for this post has been a matter of common man's discussion.The general belief being that circumstances bullied Rajiv Gandhi into a situation he was ill equipped to handle. He bungled up the Kashmir situation before he bungled the Sri Lanka issue; all this despite the massive mandate the nation gave him after Indira's assassination.

Subversive activities in J&K State had increased by now, petrol pump robberies and bank robberies were becoming regular features. The disturbances in Poonch and Riasi accelerated the growing regional rivalries. The sudden death of Gen.Zia in Pakistan resulted in violent demonstrations throwing law and order machinery of the state out of gear. Comic it might sound but the very elements who organized these demonstrations were the same elements who had indulged in violent demonstrations ostensibly against Gen Zia when he had Z.A.Bhutto hanged in Rawalpindi.

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Knowledge about Kashmiri youth crossing the border clandestinely to get arms and training in subversive activities had become public secret.The economic disparities had turned glaring, According to an estimate, 90% urban land belonged to an elitist group. On one hand communal organizations were raising religious slogans to attract the masses, on the other National conference, realizing that it had lost most of the support it once enjoyed, was trying to salvage its image by raking up the old empty issue like Resettlement bill to arouse the emotions of people.

An inexperienced Prime Minister and a novice in politics who also was the president of Congress party happened to be an old childhood friend of Dr.Farooq who was able not only to rebuild the bridges no matter how flimsy and inconsequential, with Congress but also to gain its support in the state.

Rajiv Gandhi as the Prime Minister of India not only failed to learn from the experiences of his mother but also failed to comprehend the actual situation prevailing in Kashmir despite the spate of alarming intelligence that was pouring in. He rehabilitated Farooq Abdullah, who himself was either indifferent or unaware of the ground realities; if not in liaison with forces inimical to India operating for its balkanization as alleged by right wing parties in particular. Completely ignored were the statements of the prominent members of Parliament categorizing the Congress and National conference accord as an undesirable development.

Instead of letting Farooq face the ire of his people in the electoral *arena*, he was provided the halo of martyrdom by New Delhi's

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repeated imposition of Governor's rule. The dismissal of the National Conference government was done in an arbitrary manner and equally arbitrary was the reinstatement of Farooq as Chief Minister after he signed the Rajeev-Farooq Accord in 1986. B.K. Nehru , who was Governor of Kashmir from 1981 to 1984 wrote about these goings on in his memoirs published in 1997:

"From 1953 to 1975, Chief Ministers of that State [of J&K] had been nominees of Delhi. Their appointment to that post was legitimized by the holding of farcical and totally rigged elections in which the Congress party led by Delhi's nominee was elected by huge majorities."

In 1986, the political discontent led to a formation of a new party, Muslim United Front (MUF), which had the support of pro-independence activists in addition to other disenchanted Kashmiris.

For the first time since the Pakistan occupation of parts of Kashmir, groups averse to Indian administration tried to seek a solution through a mainstream political process. But the elections were rigged once again, this time by the ruling National Conference (NC) party with the tacit support of the Congress party. The MUF leaders and supporters arrested, this event proved a watershed moment, which was followed by an armed uprising that began a new chapter of Kashmir conflict.The people of Kashmir had a good reason to believe that New Delhi was insensitive to Kashmir people's sensibilities and determined to have only puppet Chief ministers in Jammu & Kashmir.

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The brazen rigging of the 1988 elections by National Conference with the active connivance of the Congress Party at the Centre was obviously done with a view to deny the Muslim United Front opportunity to wrest a dozen odd seats in the legislative assembly. It not only led to a massive upsurge against Farooq government and inevitable alienation from Indian democracy but also provided a fertile ground for Pakistan to foment trouble and inject terrorist politics into the Valley once again.

Much has been written about the horrifying nightmarish period of Kashmir that accompanied militancy of an unprecedented scale. One of the many accounts that best summarizes the trauma of Kashmir is as issued by Association for communal harmony (Acha)-archives Kashmir:

"This brutal exploitation of a peaceful people has been marked by over 20,000 killings, the disruption of society, and the calculated destruction of basic health, education, and economic infrastructure. The blackest mark on this period will remain the mass exodus of Kashmiri Pundits and many Muslims driven by an enveloping fear through use of terror, deliberately fanned by those who would see an end to the age-old tolerance of the Kashmiri psyche.

A selective killing of prominent persons Hindu, Muslim and Sikh, to spread fear and suffocate differences of opinion, and to paralyze the economy, press, judiciary and administration, since 1989 has been the strategy of the terrorists. Those killed include Mirwaiz Maulvi Farooq, the revered Muslim cleric and Imam of its Jama Masjid, Maulana Maudoodi, a 90 year old scholar, veteran of the freedom movement, former lieutenant of Sheikh

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Abdullah and among the most respected of the leaders of the Gujar community, Qazi Nissar Ahmed, the Mirwaiz of South Kashmir, Mir Mustafa a legislator, Lassa Kaul, Director of Doordarshan, Srinagar, H.L. Khera, General Manager Hindustan Machine Tools, Professor Musheer ul Haq, Vice Chancellor Kashmir University, Nazir Ahmed Wani, Member of Kashmir's Legislative Council and countless other officials and defense personnel.

Any person who represented the State's authority, considered unfriendly to the militant's cause, or held in esteem by the local people and thus able to influence their thinking towards peaceful resolution of conflict and opposed to militancy and Pakistan's machinations, became a target."

Despite well documented evidence to the contrary, Pakistan persists in claiming that it is only providing "moral, political and diplomatic support" to what it calls an indigenous Kashmiri uprising in Jammu and Kashmir. However, the truth behind the latest phase of Pakistani sponsored violence has been spelt out in the book 'Fateh' the biography of the former Chief of Pakistan's Inter Services Intelligence, General Akhtar Abdul Rehman. His biographer Brigadier Haroon Rashid states.

"The plan which General Akhtar Abdul Rehman had made for Kashmiris' movement for independence was to come into effect in 1991. It appears that this plan was made with the struggle for the liberation of Afghanistan in mind, which it was believed would be achieved by spring 1989... However, the Kashmir plan was inaugurated in 1984. The Kashmiris were provided with some arms which were not suitable for the Afghan Mujahideen."

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General Akhtar Abdul Rehman-architect of anarchy.

Inauguration of Pakistan's "Kashmir plan" in the year 1984, mentioned by Haroon Rashid above, is a hint to the assassination of the Indian diplomat Ravindra Mhatre in U.K in the year 1984. The assassination was believed to be the handiwork of the Jammu and Kashmir Liberation Front . Amanullah Khan, Chairman of the Jammu and Kashmir Liberation Front (JKLF), sought refuge in Pakistan, still lives there, and conducts his anti-India activities openly. Hashim Qureshi, an associate of Amanullah Khan, now resident in the Netherlands, has in his book "Kashmir: Unveiling the Truth", laid bare the plotting of the murder and the horrors that were to follow in Kashmir. Terrorism escalated in the Kashmir Valley starting in 1989.

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Chapter-14.

Militancy in valley, kidnapping of Union home Minister's daughter, Jag Mohan back as Governor, Farooq's resignation, hotel Centaur- comedy of errors, assasination of Mir Waiz Moulvi Farookh, Bajpai's full term as P.M, Lahore agreement, Benazir on Kargil war, assassination of Abdul Ghani Lone, exodus, Kashmir burning, and Ladakh simmering.

Since ancient times, mass exodus of people from Kashmir has been a recurrent occurrence. The historian Kalhana has referred to exodus from the Valley mainly because of famines but sometimes because of unsettled political conditions also. Waves of exodus involving large numbers of population followed the barbarous rule of Afghan exploiters in medieval times. The latest of these heart wrenching forced migrations took place in the period 1989/90.

For starters, Pakistan first used the Jammu and Kashmir Liberation Front, with its "Independent-Kashmir" ideology, to mobilize a mass movement.

The ninetees decade has been one of Dark Age for Kashmir as also for the rest of the country. It began with the Pakistan instigated ethnic cleaning in early 90s of Kashmiri Pundits and those of the Muslims who did not conform to the views of Pakistan backed elements.

The buck however did not stop there; its reverberations were felt over most of the country. Babri Masjid episode, targeting Christians in Kandhmal, Gujarat blood letting, moral police atrocities in Banglore, Mumbai blasts and even venom spitting

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of Varun Gandhi. The drubbing that the saffron brigade got in 2009 elections only proved to the world and to extreme rightist leaders that the track adopted by them was very faulty and alien to the philosophy of common Indian.

The period 1989-90 witnessed the targeted killings of Government officials, media personnel, members of the judiciary, and members of the minority Kashmiri Pundit (Hindu) community. Muslims who refused to toe the line of anarchy or even protested the excesses committed in the name of religion, too met the same tragic fate. The Kashmiri Pandits, the only Hindus of the Kashmir valley, who had generally constituted approximately 4 to 5% of the population of the valley during Dogra rule (1846–1947), and 20% of whom had left the Kashmir valley by 1950, began to leave in much greater numbers in the 1990s.

The terror unleashed its devastating effect, between January and April 1990, resulting in the resignation of the totally demoralized and inefficient State Government headed by Dr.Farooq Abdullah. His abject failure in assuring even a modicum of functional administration led to an extremely vulnerable position of the state, now almost at the precipice of a dismal abyss. He lost his nerve in sharp contrast to the stand of his late father who stood like a rock in a similar situation in 1947!

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The bungling at all levels by the government had resulted in the massive exodus of nearly 2,50,000 Kashmiri Pundits and over 50,000 Kashmiri Muslims from the valley. The Pundits settled in hastily created refugee camps of Jammu, Delhi and other cities of India while many Muslims were left to their own devices to fend for themselves.

The twin objectives of terrorizing the common person, coupled with paralyzing the state administration, had met with a substantial measure of success beyond the expectations of the key operators based in Pakistan. Having achieved success beyond their imagination their partners in crime, whose aim was a vaguely defined independent Kashmir, were no more needed by the Pakistani politicians. Pakistan had never believed in the concept of an independent Kashmir. With mayhem gaining ground fast in the State, it was time for Pakistani authorities to drop any pretence of Independent-Kashmir and eliminate the faction dreaming or working for the Utopian ideal of an independent Kashmir.

Sheikh Muhammed Abdullah's farsighted vision, when he decided to align with India rather than fall into the lap of Pakistan's feudal autocratic system, once again confirmed his wisdom and his stand vindicated.

The situation deteriorating by the day, the Awami National Conference chief, G.M.Shah demanded re-imposition of Governor's rule. The remarks of Shri JagMohan during the second tenure of his office make an interesting reading about the state administration in 1989. "In the notes recorded for the month of January 1989, I again brought out how subversives

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were getting emboldened and aggressive and how the Chief Minister Dr.Farooq Abdullah was showing a shocking lack of concern and seriousness." About the bureaucracy he writes, "Bureaucracy proliferated. The expenditure on maintaining it was the highest in the country with lowest performance. During the seven-year period from 1982 to 1989 the number of employees was 4.38% as against the national average of 2.7%." Appointments were made on considerations other than that of merit, even M.A or B.A 1st. class candidates were ignored in preference for 3rd.rate candidates. The disillusionment of educated youth led to a justified hatred for the establishment, unfortunately identified with the Indian nation out of general ignorance, while over staffing arose out of favoritism. It is shocking to know that for every bus there were 6 drivers and 8 conductors/cleaners."

The plight of bureaucracy can be imagined when one learns about a dispute having arisen between two important political parties, National Conference, and the Congress, about filling of posts in agriculture department! The dispute was which party would fill the vacancies in what ratio. The power of authorities qualified to judge the suitability of a candidate was of no relevance, they were just side lined. A similar state of affairs prevailed in the developmental matters. It was an unseemly tussle to gain maximum powers for granting favors to favorites when Srinagar city lacked even a suitable sewer system, but who bothered.

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Kidnapping of Dr.Rubiya Syed. (8th.Dec. 1989.)

Mufti Mohammed Syed was the first Muslim to take charge as India's minister for Home Affairs. Within just a few days of his occupation of this august office, terrorists in Kashmir kidnapped Rubaiya his third daughter. This was intended as a slap on the face of Indian democracy and as propaganda prop acclaiming the impotence and rot of administration in the state of Jammu and Kashmir.

Rubaiya Syed, then 23 years old, was the unmarried third daughter of Mufti Mohammad Syed. She was a medical intern at Lal Ded Memorial Women's Hospital when she was kidnapped at 3:45 p.m. about 500 meters from her home at Nowgam. Four militants forced her out of the vehicle at gunpoint into a waiting Maruti car and disappeared. The representatives of the Jammu and Kashmir Liberation Front called the local newspaper "Kashmir Times" on phone at about 5:30 p.m. They said that their group's mujahedeen had kidnapped Dr Rubaiya Syed and she would remain their hostage until the government released Sheikh Abdul Hameed, a JKLF "Area commander",Ghulam Nabi Bhatt, younger brother of the late Maqbool Bhatt; Noor Muhammad Kalwal, Muhammed Altaf and Javed Ahmed Zargar a Pakistani citizen.

The editor of Kashmir Times phoned both the Home Minister and the government to pass on the news. The Chief Minister Farooq Abdullah was holidaying in London. Forced to cut short his holidays he returned to Delhi. Senior IB and police officials, including Ved Marwah, Director General of the National Security Guards, reached Srinagar before dawn the next day. At 3:30 a.m.

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on December 13, 1989, two Union Cabinet Ministers, Inder Kumar Gujral and Arif Mohammad Khan, personally flew to Srinagar believing that Farooq was coming in the way of a deal because Farooq held the view that abject surrender to the terrorists' demands would open the floodgates.

At 7:00 p.m. on December 13, 1989 Dr Rubaiya Syed was set free, two hours after the government released the five jailed militants. The kidnapping of a young, unmarried woman aroused great anger in Kashmir. The people denounced the action as anti- Islamic and against Kashmiriyat which caused the self-styled Mujahideen a substantial loss of public goodwill.

In April 1990, the government claimed to have solved the case after Ali Mohammad Mir, a senior government officer, was arrested, and confessed during interrogation that the conspiracy was organized at the home of Mushtaq Ahmad Lone, in Chanpora; others allegedly involved included Yasin Malik, Ashfaq Majid Wani, Iqbal Gandroo, and Salim Nanaji.

Salim Nanaji had driven Rubaiya to Sopore where she was confined to the official residence of another government officer, Javed Iqbal Mir. After three days, she was moved to the home of Mohammad Yaqoob, owner of a plastic factory at Sopore.

In 1999 three JKLF militants Shoukat Ahmed Bakshi, Manzoor Ahmed Sofi and Mohammad Iqbal Gandroo, arrested in connection of the case were granted bail after 9 years.

The media in Pakistan was giving high coverage of the unfortunate events in Kashmir, but the statements of its leaders sounded ambiguous if not contradictory. The Pakistan minister of state for religious affairs declared, "We are resolute to liberate

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Kashmir which is the life line of Pakistan." While Ms.Benazir Bhutto declared in Pakistan Parliament, "The present trouble in Kashmir is an expression of Kashmiris' will for independence".

The statements of both the leaders may sound similar but a closer look will reveal a dichotomy of intentions about Kashmir in the thought process of Pakistani leadership. One reveals a state of ownership the other a support for independence.

Lok Sabha elections in Kashmir

How mis -informed, naïve or outright ignorant was Rajiv and his cotiere about the ground realities of Kashmir, became evident when they decided to hold Lok Sabha elections in J&K state where law and order had broken down totally and concept of an ineffective sham democracy had become abhorrent to the suffering populace. That the flames of lawlessness and subversive activities engulfed the state fully was no more a hush hush matter known only to few.

The decision to hold elections in the state where the civil administration made its presence felt only on payday was nothing short of being Quixotic. Mr.R.Gandhi provided a mighty strong rod to the Pakistan sponsored militants to beat and humiliate the Indian nation with, when against all wisdom he declared to hold Lok Sabha elections in J&K state along with the rest of the country.

In response, the militant organizations' combine had given a call for civil curfew on November 22nd.1989, the polling date, which was observed in both letter and spirit by the masses.

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The cities, towns and villages all witnessed deserted streets. Not a single vote was cast in the town of Baramulla while Sopore town boasted of five votes polled despite the fact that three top most leaders of National Conference and Congress hailed from this city. Srinagar city returned its National Conference candidate unopposed, not for his overwhelming popularity but because no one voted either in favour or against him!The disgrace was further compounded by total absence of National conference and congress volunteers in the vicinity of polling centers nor were any efforts for canvassing evident. Even the election agents of the candidates were conspicuous because of their absence. The abdication of the electoral field both by National Conference and by Congress was pathetically clear to the rest of the World.

The free Indian press was candid about the loss of even a modicum of popularity for the Congress-National conference combine. While the foreign press particularly the Pakistani press was much less reserved in its comments.

The Nation, (of Pakistan) wrote, "The message from Kashmir is loud and clear. New Delhi's writ is no longer operative in the valley. Dr. Abdullah has more glamorous pursuits to chase than putting the crumbling administration together."

New York Times International reported, "A resurgence of secessionist sentiment began nearly two years ago in Jammu and Kashmir, the only state with a Muslim majority in predominantly Hindu India...V.P.Singh has conceded however that the Kashmiris have many justified laments. Two weeks ago

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he appointed as Governor, Jag Mohan an efficient administrator who governed the state from 1984 to 1989 thereby prompting Farooq Abdullah, the unpopular chief minister of Jammu and Kashmir to resign in protest."

Mr.Jamail Qureishi in his briefing as an advisor to the Governor of J&K State included the following excerpts, "The people almost the whole lot of them believed that Kashmir was going to be independent or become a part of Pakistan in January 1990 itself.... January 26th was promised by the militants to be the day of supposed deliverance when the new Republic of Independent Kashmir was going to be declared. And foreign correspondents were invited to witness the birth of the new State".

The Cong –National Conference alliance government had practically abandoned the valley. The commissioner and DIG police were directionless and justifiably reluctant to take any preventive actions that could very easily have resulted in their kith and kin to suffer the violent retaliation of the militants living unprotected, as they lived in the far-flung areas of Srinagar.

On 19th February 1990 the then Governor JagMohan dissolved the J&K Assembly taking all the administrative powers into his hands. This gave rise to many misgivings at the centre. Mufti Syed was the Home Minister and V.P Singh the P.M. The opinion was divided about the advisability of this step in the ruling Janta Party Front. However, several leaders supported the move of the Governor. Moulvi Farookh, the Chairman of Awami Action committee welcomed the move, saying it was long overdue.

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While Kashmir was up in flames, a large delegation of Ministers and M.Ps headed by the then Deputy Prime Minister Devi Lal, the newly appointed minister for Kashmir affairs George Fernandes and the new leader of opposition, Rajiv Gandhi, made a beeline to Srinagar on 8th.March 1990 adding to the woes of a wafer thin functional administration. It seemed every politician in India thought that he alone could charm the disenchanted Kashmiris now on a warpath.

Hotel Centaur became a hub of all the politicos. The members of the delegation instead of working out some meaningful programme, wasted their time in acrimonious arguments and shows of one-up man ship. The press coverage to this high-level meeting turned into a low-level farce, which attracted lot of humiliating publicity.

The Statesman wrote, "Touché, Rajiv Gandhi. First, you create the mess. Then, you and your allies try to be martyrs. Then you with the support of the Trojan horses, within and without, force the government to take a second look at the crisis of your own creation.... You were seeking a cover-up for something that you single-handedly created while you were at the helm of affairs in the country and of course in Kashmir. When will you grow up, Gandhi?"

The frequent change of Governors of J&K state as mentioned below reflects the state of confusion and lack of direction that the Central leadership was suffering of, regarding the Kashmir policy. Shri. JagMohan had relinquished his office as Governor of the State in July 1989 and Gen K.V.Krishna Rao appointed in his place. He too had to vacate his office in Jan '90 following the

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change in leadership at the Centre. A new Government formed by V.P Singh ended in disgrace shortly after having created unprecedented turmoil in India over the Mandal issue. The leadership of the united front changed hands and Chandrasekhar took over as the P.M. The United Front Government deputed Shri G.C.Saxena as the governor of J & K State.

List of J&K Governors

1-Bhagwan Sahay 15 May 1967--3 Jul; 1973

2-Lakshmi Kant Jha 3 Jul 1973--22 Feb 1981

3-Braj Kumar Nehru 22 Feb 1981--26 Apr 1984

4-Jagmohan 26 Apr 1984--Jul 1989

5-K. V. Krishna Rao Jul 1989-19 Jan 1990

6-Jagmohan 19 Jan 1990 --26 May 1990

7-Girish Chandra Saxena 26 May 1990 -12 Mar 1993

8- K. V. Krishna Rao 12 Mar 1993--2 May 1998

9-Girish Chandra Saxena 2 May 1998--4 Jun 2003

10-S.K. Sinha 4 Jun 2003--25 June 2008

11-Narinder Nath Vohra--25 Jun 2008

Era of political assasinations

Mirwaiz Moulvi Farookh was the Mir- Waiz of his time in Kashmir and chairman of the Awami Action Committee, a coalition of

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disparate factions and political parties in Jammu and Kashmir that wished for independence under Islamic order for the state of Jammu and Kashmir. On 21st. May 1990, when Robert Gates a special representative of President Bush was to arrive in Delhi, a call was given by the secessionists to observe civil curfew. The law enforcing agencies were on alert and everything seemed to be quiet until the news of Mir Waiz falling a victim to firing by unknown persons broke out and spread like wild fire in the city.

His bullet- ridden body was rushed to Sheri Kashmir medical Institute where despite the frantic efforts by the doctors he passed away. The frenzied mobs snatched his body and bloody skirmishes between the mobs and security forces resulted in several casualties. The angry people in the procession carrying the body of the deceased attacked one picket of the CRPF and destroyed it. Eight jawans including its commander were injured. The violent procession stopped near Islamia College by the security forces lead to stone pelting by the crowd. Some militants attacked a CRPF picket at Hawal with AK-47 rifles; the ensuing crossfire caused deaths of several besides injuring many.

The security forces accused to have committed the heinous act however were rescued when the truth emerged. Late Mir Waiz's security guard Ghulam Qadir Sofi made a statement, which silenced the opponents of the Government. He said, "All the youths were Kashmiris. They were well built and of medium height and had fair complexion". The Sofi had caught hold of one of the assailants but he managed to escape. He had followed him up to the University gate but after that, nothing was known about him.

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The assassination seemed to be the result of a well-planned conspiracy that aimed to kill two birds with one stone: Silence the pro independence and anti Pakistan elements who were getting vocal, and blame the deed on the Indian Government. Mir Waiz's assassination was the first salvo fired by the controllers of militant movement against those Kashmiri leaders who dared dream of independent Kashmir. In 1992, while the state was under the Governor's (Shri G.C.Saxena) rule, Amman Ullah Khan in Pakistan announced a movement directed at drawing the attention of international community and to stoke the fires of militancy in the valley; a decision to march across the line of control.

Reporting on these developments BBC-Pakistan reported,"Police in Pakistani-controlled Kashmir have arrested more than 100 supporters of the Jammu and Kashmir Liberation Front. The JKLF, which wants an independent Kashmir, is planning to hold a march on Monday across the Line of Control that divides the Indian and Pakistani forces in Kashmir. The Pakistani authorities have asked the JKLF to call off the event, but the organisation's leader has told the BBC that the march will go as planned. The JKLF says the planned march across the Line of Control is designed to show that Kashmiris do not accept that either Islamabad or Delhi have the right to divide or bisect the Kashmiri nation". "The last time the JKLF tried to stage a similar symbolic crossing of the line, Pakistani forces opened fire and killed eight people. Both Pakistan and India have made it clear that on this occasion they are determined to stop the JKLF. Over the last few days, the Pakistani police have arrested more than 100 JKLF activists to prevent them reaching the Line of Control.

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Hundreds of Pakistani police are now deployed near the point where the JKLF plan to cross and fearing arrest, the JKLF leader, Aman Ullah Khan, has gone into hiding. Speaking to the BBC from his hideout, he said that the JKLF activists are still determined to approach the line, unarmed, cross over it and then walk back. "If we're shot down then so be it," he said. "We are determined to resist the combined might of the colonisers in both Pakistan and India. Delhi and Islamabad are committed to upholding the sanctity of the Line of Control".

Bajpai as P.M

After the election in 1999, Vajpayee was sworn in as the Prime Minister for the third time. The coalition government formed this time lasted its full term of 5 years, the only non-Congress government to do so. In late 1998 and early 1999, Vajpayee began a push for a full-scale diplomatic peace process with Pakistan. With the historic inauguration of the Delhi-Lahore bus service in February 1999, Vajpayee initiated a new peace process aimed towards permanently resolving the Kashmir dispute and other territorial/nuclear/strategic conflicts with Pakistan.

The resultant Lahore Declaration espoused a commitment to dialogue expanded trade relations, the goal of denuclearized South Asia, and mutual friendship. This eased the tension created by the 1998 nuclear tests, not only within the two nations, but also in South Asia and the rest of the world.

The 1998 New Delhi talks generated some optimism and prompted Prime Minister Atal Bihari Vajpayee to undertake the historic bus trip to Lahore, which culminated in the Lahore Declaration of February 21, 1999. (Appendix- 2)

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Mr.Atal Bihari Bajpai probably was not well aware or had not grasped the existence of multi polar power centres of Pakistan. Probably he was unaware of what is an established fact that North Western Pakistan is firmly under the control of Jihadi gangs who in turn are patronized and used by the Mullas wedded to stake holders of a primitive way of life.

It is common knowledge that when Atal Bihari Vajpayee and Nawaz Sharief were signing the Lahore Declaration, the Pakistan military under General Musharraf was finalizing a stealth operation for intrusion into the Kargil region of Jammu & Kashmir. The Jammate- Islami (JI) activists had also staged demonstrations in Lahore against Vajpayee's visit and criticized a rapprochement between India and Pakistan.

The Kargil war that cost both the countries heavily in terms of human lives lost, besides loss of precious economic resources has invited a myriad of opinions about the logic or lack of it. The peace overtures proved short-lived as India and Pakistan were locked in a war in the Kargil region of Jammu and Kashmir after armed Pakistan intruders occupied several peaks by stealth on the Indian side across the Line of Control (LoC). Indian national highway NH 1D connecting Srinagar to Leh cuts through Kargil. The area that witnessed the infiltration and fighting is a 160 km long stretch of ridges overlooking this only road linking Srinagar and Leh. The military outposts on the ridges above the highway are generally around 5,000 meters (16,000 ft) high, with a few as high as 5,485 meters (18,000 ft).

During the winter of 1998 -1999, some elements of the Pakistani Armed Forces were covertly sending Pakistani troops and

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paramilitary forces, some allegedly in the guise of mujahideen into territory on the Indian side of the LOC. The infiltration was code named"Operation Badr" its aim, to sever the link between Kashmir and Ladakh.

Two divisions of the Indian Army numbering 20,000, plus several thousands from the paramilitary forces of India and the air force were deployed in the conflict zone. The total number of Indian soldiers that were involved in the military operation on the Kargil-Drass sector was thus close to 30,000. The number of infiltrators, including those providing logistical backup, has been put at approximately 5,000 at the height of the conflict.

Indian gunners did make maximum use of the terrain that could support such an operation. However, its success was limited elsewhere due to the lack of space and depth to deploy the Bofors gun.

Nawaz Sharif, Prime Minister of Pakistan speaking about the Kargil conflict, claimed that he was unaware of the plans, and that he first learned about the situation when he received an urgent phone call from Atal Bihari Vajpayee, his counterpart in India. Sharif attributed the plan to Musharraf and "just two or three of his cronies", a view shared by some Pakistani writers who have stated that only four generals, including Musharraf, knew of the plan. Musharraf, however, asserted that Sharif had been briefed on the Kargil operation 15 days ahead of Vajpayee's journey to Lahore on February 20.

Two months into the conflict, Indian troops had slowly retaken most of the ridges that were encroached by the infiltrators. According to official count, an estimated 75%–80% of the

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intruded area and nearly all high ground was back under Indian control. Faced with growing international pressure, Sharif managed to pull back the remaining soldiers from Indian territory. One U.S. Intelligence study is reported to have stated that Kargil was yet another example of Pakistan's (lack of) grand strategy, repeating the follies of the previous wars.

In October 1999, Nawaz Sharif was overthrown by yet one more Pak army coup and the Lahore Agreement became another signed document without any resultant implications, in the history of India-Pakistan relations. The Pak military never recognized it until recently. India and Pakistan also witnessed a failed summit meeting between Vajpayee and Musharraf at Agra in July 2001which showed the low level of mutual trust and confidence as a result of the Kargil war. India as well as most of the democratic world believe that the Kargil episode was an adventure of an over ambitious militarist Musharraf, that ended in a fiasco costing many a human lives on both sides.

Mrs. Benazir Bhutto in her article published in the New Age of 5th. August 1999.has written about the extreme thoughtlessness bordering on insanity about the Musharaff engineered Kargil operation. Hereunder are a few excerpts from her write up, "For nearly three months the Kargil conflict threatened South Asia with the prospect of the first nuclear war since Hiroshima. The Nawaz regime in Pakistan had made it clear that, if necessary, it would not hesitate to use its recently acquired nuclear power in the event of an all-out war." "Such a dangerous conflict ended as it began: shrouded in confusion. While the Pakistani Premier announced in Washington that he would ensure the withdrawal of Pakistanis from across the Line

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of Control, his official spokesman had another story to tell in the country's capital. But nothing could conceal the truth: Kargil had been Pakistan's biggest blunder. In the snow-clad mountains, Pakistani-backed men took up positions they had no hope to keep. Pakistan was made to retreat from the mountain tops in disgrace when it found itself internationally isolated and blamed for the conflict." "However, no matter how monumental the Kargil blunder the euphoria in India and the humiliation in Pakistan, the reality of the Kashmiri struggle remains. The hard fact is that the alienation of the Kashmiri people has triggered three conflicts, including a potential nuclear conflict. Despite the Washington agreement, the Pakistani withdrawal, and the Indian triumph, the Kashmir dispute poses a threat to peace and stability in South Asia." "True progress in South Asia will depend largely on the ability of the two nations to build a harmonious relationship based on satisfying the sentiments of the All Parties Hurriyat Conference which represents the Kashmiri people. This may be difficult in the present circumstances".

The Indian people, who warmly greeted their Prime Minister when he went on a bus journey to Pakistan extending the olive branch, feel deeply disillusioned. Their sense of betrayal has been compounded by the long line of coffins returning from the frontline during the Kargil operation."(Appendix- 3)

A shift occurred when Vajpayee made the peace offer once again, in Srinagar on April 18, 2003. The snapped air, rail and diplomatic links between the two countries, were restored. Confidence building measures as also spadework was initiated for bilateral engagements. India made a 12-point peace offer on October 22, 2003. It included bus services between Srinagar and

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Muzaffarabad and between Munabao (Rajasthan) and Kokhrapar (Sindh).

Abdul Ghani Lone, a senior Hurriyat leader, who was seen as a moderate voice in Kashmir polity, was shot dead by unidentified gunmen on Tuesday 22nd.May 2002. Lone, an executive member of the All Parties Hurriyat Conference (APHC), was killed in Srinagar as he attended a public meeting to mark the anniversary of the death of another separatist leader, Molvi Muhammd Farookh, who was shot dead by unidentified gunmen in 1990.

Lone, who was in his 70s, wanted to initiate steps to hold dialogue with the Indian government to find a political solution to the Kashmir dispute. One of his personal security officers was also shot dead in the daring attack and another security guard was injured, witnesses said.

Lone's driver Abdul Rashid said, he was shot at close range by at least two attackers."When the function was over, Lone was leaving the venue, and going to the car, when gunmen opened fire," he said. "He fell to the ground; he was reciting the Holy Quran. Then the gunman fired at him again at close range as he lay on the ground", Rashid added. The assailants also threw a grenade, which failed to explode, witnesses said. Six civilians were also injured. It was not known who was behind Lone's killing, but Farooq Abdullah, Kashmir's Chief Minister, immediately blamed it on Pakistan.

Lone, who headed the People's Conference party, was a moderate separatist leader. He invited ire and criticism of hard-liners for his publicly announced belief that violence was not a solution to the Kashmir dispute.There had been speculation in the Indian

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media that Lone was considering taking part in elections due to be held later this year, which many militant groups had already said they would boycott. Only a month or so earlier, a member of the rightwing Hindu Shiv Sena party manhandled Lone at a press conference. He had survived previous attempts on his life, including a car bomb that went off outside his house two years ago. The killing of Abdul Ghani Lone came shortly before Indian Prime Minster Atal Behari Vajpayee arrived in Kashmir with a determination to make a sincere effort for finding a solution to a highly complex problem and to start a process of normalization.

Later on, Indian Prime Minister Atal Behari Vajpayee said the assassination of Abdul Ghani Lone would affect the peace process in Kashmir but not stop it. "I condemn this incident. I offer my condolences to the family", "We have heard that terrorists have shot Abdul Ghani Lone dead and the body has been taken home. Whoever wants a peaceful solution of Kashmir is killed by Pakistan," he said, shortly after arriving in Jammu.

Meanwhile, US Secretary of State Colin Powell condemned as terrorism the murder of the leading Kashmiri separatist, calling it a "direct attack" on hopes for a political dialogue in the disputed region that is the source of rising tension between India and Pakistan. "I was saddened and angered to hear that Abdul Ghani Lone has been assassinated in Srinagar," Powell said in a statement."We have not seen any claim of responsibility for the murder, but this is a direct attack on hopes for a fair political process in Kashmir", he said and added", His killers are clearly among those who oppose a peaceful political resolution there. This was a terrorist act designed to undermine the hopes of the Kashmiri people for free and fair elections without violence."

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Powell noted that Lone had been committed to a peaceful resolution of the dispute. "Lone sought to achieve his goals through peaceful, democratic means and courageously stood up to extremists", he added.

APHC Chairman Abdul Ghani Bhat said Lone's death was a setback for the movement and that leaders of the group would meet on Wednesday. Asked who was behind the killing, he said, "We will tell you tomorrow (Wednesday)".

Abdul Ghani Bhat - ***breaking the silence***

The most fearless public announcement made by a Kashmiri leader since the demise of Sheikh Mohammed Abdullah has come from a most unlikely person. On January 2, 2011, the chief spokesman of the separatist Hurriyat Conference, Abdul Ghani Bhat, tearing to shreds the curtain of silence imposed by terror that had lasted for over two decades, exonerated the Indian forces of long-held allegations of assassinating prominent Hurriyat leaders- Mirwaiz Maulvi Muhammad Farookh, Abdul Gani Lone and JKLF ideologue Prof. Abdul Ahad Wani.

The leader of the Hurriyat Conference's moderate faction Prof. Abdul Gani Bhat admitted for the first time, that the killings were actually 'an insider's job'. Prof. Abdul Gani Bhat,who was the chairman of the Hurriyat Conference when it was split into the hardline and moderate factions, categorically stated at a seminar on Sunday that the security forces had played no role in the killings of Mirwaiz Maulvi Farooq, Abdul Gani Lone as well as Prof. Abdul Ahad Wani. "The army or the police did not kill Lone sahib, Mirwaiz Farookh and Prof. Wani. Our own people targeted them. The story is a long one, but we have to tell the truth," he

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asserted, stopping short of naming any terrorist group, which killed them, or delving into the circumstances under which the murders took place.

The separatist leader was addressing a seminar on 'Role of intellectuals in the Kashmir movement' organized at a local hotel by JKLF chairman Muhammad Yasin Malik to commemorate Wani's death anniversary. The slain Mirwaiz Maulvi Farookh's son, present Hurriyat Conference chairman Umar Farooq also did not contradict Bhat when he spoke at the seminar after him.Speaking at the meet, Bhat, a professor of Persian at Sopore Degree College, said: "if you want to free the people of Kashmir from sentimentalism bordering on insanity, you have to speak the truth. Former Prime Minister of Pakistan Zulfikar Ali Bhutto once said that sometimes truth escapes the mouth. Here I am letting it out." He was also forthcoming in saying that "we killed our intellectuals" while starting the present movement against India. He added, "Wherever we found an intellectual, we ended up killing him. Let us ask ourselves: was Prof Wani a martyr of brilliance or a martyr of rivalry?"

Mr Bhat, considered a moderate separatist, also seemed to be critical of hardline leaders, when he said, "There was a hartal (strike)for five months and 112 people died. At the end of it there is nothing by way of achievement. This is what happens when there is no thinking, no strategy. If you want to rid people of Kashmir of sentimentalism bordering on insanity, you have to speak the truth."Mr Bhat also criticized those who have been politicizing the deaths of Kashmiris: "Some leaders still hail these sacrifices as if their only purpose is to get people killed... for the sake of it."Taking potshots at the rival Hurriyat group for

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adopting double standards, he said, "when we entered into talks with New Delhi, we were accused of being kafir, and when you (the hardliners) talk you get away scot-free. This dichotomy in Kashmir politics should end."

Bhat also refused to be a part of any unity process between the separatist groups initiated by Umar Farooq. He avowed he would not be associated with any such move that would mean the "hegemony or aggrandizement of any person", making an oblique reference to Syed Geelani.

Commenting on the five-month long protests and strike, which paralysed Kashmir in 2010, he said the Kashmiris did not achieve anything through this, adding that the local intellectuals refrained from writing on the issue.Bhat, also expressed doubts if Pakistan would ever fight a war over Kashmir with India, "it is unlikely as both the nations understand its consequences". He also advocated against an armed movement against India in Kashmir, saying, "It will not have support from any quarter.What next? We should do the talking", he said. Spelling out the benefits, he said negotiation was an art and the right way to move forward.

Earlier, JKLF chairman Muhammad Yasin Malik, in his address, said Sheikh Muhammad Abdullah was the tallest leader Kashmir produced in the past 63 years. However, added Yassin, the Kashmir conflict dwarfed even the Sheikh.

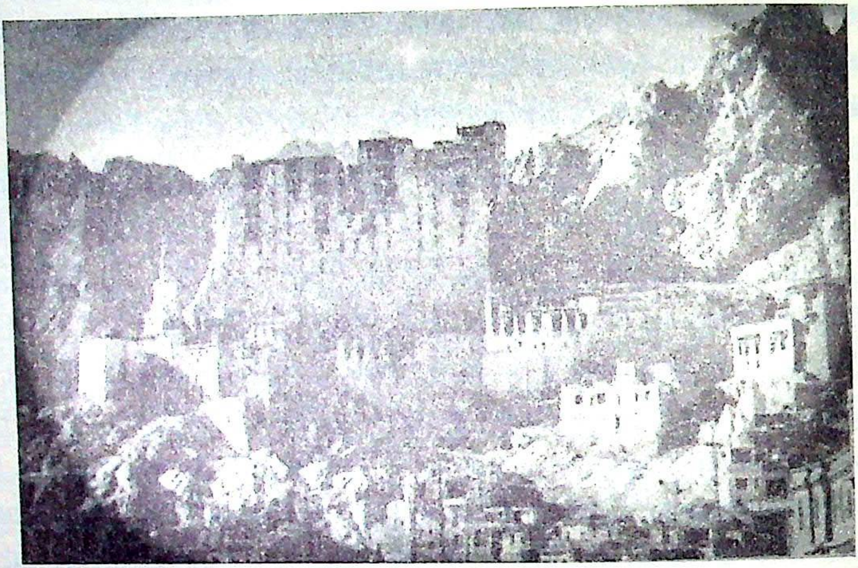
"This holds true for all of us. Not one among the present crop of leaders should think that we are above Kashmir,"he said .Malik felt that in the past six decades, the Kashmiris had gained

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nothing, "we have given sacrifices and gone through bitter experiences. But there has been no achievement", he said.

Neglected North-the possible powerhouse of future

While Kashmir was burning, the forgotten Ladakh burst into an unheard of up-heavel.



Leh Palace

The most remarkable of the J&K Dogra rulers was Maharaja Gulab Singh whose General Zorawar Singh invaded Ladakh in 1834. Dethroned King Tshespal Namgyal, was exiled to Stok. Ladakh came under Dogra rule, integrated into the state of Jammu and Kashmir in 1846; it still maintained considerable autonomy and relations with Tibet.

When talking of modern Leh the foremost name that comes to mind is of Koushik Bakoula. He was the main representative of

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Ladakh province in Jammu and Kashmir Government continuously, for a few decades., Born on May 21st, 1917 into a noble family of Ladakh, Reverend Bakoula was recognized by the thirteenth Dalai Lama as reincarnation of Bakoula Arhat, one of the direct disciples of the Shakyamuni Buddha. Bakoula, the highest of Buddhist lamas, is considered as incarnate of 16 Arhats of Lord Buddha's time.Koushik Bakoula Rinpoche passed away in Delhi on 4th November 2003.

The decay in Ladakh started after the Rev.Bakoula left the Ladakh affairs when he was appointed as ambassador to Mongolia.A decay caused by neglect and apathy of those who ruled Kashmir. The political developments in the North though quiet at present, are packed with a power punch for the future; alarming enough for our strategists to take a second look of our neglected North, the Ladakh province. Though sparsely populated its territory is double the size of Jammu and Kashmir, comprising an area of roughly 98000 Sq.kilometrs bordering China and Pakistan. Its strategic importance, particularly in view of China's crawl westwards to the borders of Afghanistan and proximity to the Central Asian countries, need to be revaluated.

Hidden below the crust of earth, black gold deposits of these regions is whetting the appetites of several international powers most of all the Chinese. The area has been traditionally backward even as per the South Asian standards.The, potential importance of Ladakh province has to be viewed in context of hectic diplomatic and economic activities going on in the Central Asian region.The Leh region has a population of nearly 70000 who hold Dalai Lama in higher reverence than Tibetans in Tibet

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do. Since the early 1960s the number of immigrants from Tibet (including Changpa nomads) have increased as they flee the occupation of their homeland by the Chinese. Today, Leh has some 3,500 refugees from Tibet. They hold no passports, only customs papers. Some Tibetan refugees in Ladakh claim dual Tibetan/Indian citizenship, although their Indian citizenship is unofficial.

Since partition Ladakh has been governed by the state government based in Srinagar, never to the complete satisfaction of the Ladakhis who demand that Ladakh be directly governed from New Delhi as a Union Territory. They allege continued apathy, religious bias, and corruption of the state government as reasons for their demands.

In 1989, the escalating Ladakhi dissatisfaction with Kashmiri Governance led to violent riots between Buddhists and Muslims, provoking the Ladakh Buddhist Council to call for a social and economic boycott of Muslims, which was lifted in 1992.

The Ladakhi Buddhist Association that spear headed the agitation, unparalleled in the history of Ladakh, has a long list of complaints. In a statement issued to the press it states, "The people of Ladakh realize the gentleness and tolerance inherent in their age-old culture are being mistaken for cowardice and helplessness. They have launched a movement not against any community as a whole but against the root cause of all the feuds and problems in Leh, the Kashmir Government, the source of all the evils." Referring to apathy of Government of India, the Association further adds, "The Government of India never responded favorably to our sincere conviction; instead they

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allowed us to be governed by Kashmiris during all these decades to our utter ruin. The impact of the oppressive rule unleashed by Kashmir Government over us has obliterated our cultural and social ethos."

In October 1993, the Indian government and the State government agreed to grant Ladakh the status of Autonomous Hill Council leading to creation in 1995 of the Ladakh Autonomous Hill Development Council.

A reference here to developments in the neighborhood of Ladakh may seem far-fetched today, but needs a careful and critical study by policy makers of India on an urgent basis.

The emergence of Ladakh, Gilghit, and entire Balkistan as strategic economic centres of power is bound to happen sooner than later.

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Chapter-15.

Pakistan crisis, Mufti Mohammed Syed, improvements in Kashmir, Ghulam Nabi Azad, gender discriminatory law & citizenship issue, unholy row over the holy Amar Nath, resignation of Ghulam Nabi Azad, Omar Abdullah -the new hope for Kashmir.

The slackening of terrorist activities in Kashmir was probably more a result of urgent preoccupations of ISI in their domestic turmoil than any particularly effective steps taken by J&K administration. To face the facts one has to keep in mind the political scenarios both in Pakistan as also in India while considering the happenings in Kashmir. On 15th October 2007, Musharraf who had been parading before the US and the Western world, wearing a thin veneer of democratic setup, buried any hopes of a transition to democracy in Pakistan after he declared state of emergency, suspended the Constitution, and assumed power as Chief Executive. He also quickly purged the government of political enemies, notably Ziauddin and national airline chief Shahid Khaqan Abbassi. On October 17, in his second address to nation he announced the establishment of a seven-member military-civilian council to govern the country while the army held Nawaz Sharief under house arrest.

It was on 3rd. November 2007 that Musharraf declared emergency rule across Pakistan. After suspending the Constitution and imposing State of emergency, he fired the Chief Justice of the Pakistan Supreme Court. In Islamabad, troops entered the Supreme Court building, arrested the judges, and kept them under detention in their homes. Troops were deployed inside state-run TV and radio stations, while independent

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channels went off air.

Public protests mounted against Musharraf to the extent that on 18th. August 2008, Musharraf resigned. It was the first time in the history of Pakistan that a military despot had been kicked out of power by the common masses of Pakistan fired with ideals of democracy and rule of law. So far, all the coups, civil or military had been brought about by the machinations of strong feudal lords of Sindh and Punjab.

While Pakistan's ISI was busy groping with the situation back home, the activities of their protégées operating the militancy in Kashmir had been rendered ineffective.

Mufti Mohammad Syed (born January 12, 1936) was sworn the Chief Minister of Jammu and Kashmir on 2nd Nov, 2002. He had founded the Jammu and Kashmir People's Democratic Party in July 1999 to "persuade the Government of India to initiate an unconditional dialogue with Kashmiris for resolution of the Kashmir problem". Mufti Mohammad Syed had been a member of the Indian National Congress party until 1987. He is credited with having brought about the downfall of the Jammu & Kashmir National Conference government, which was led by Farooq Abdullah in 1984.

In 1987, Mufti Sahib quit the Congress party to join V. P. Singh's Jan Morcha, which led to his becoming the first Muslim Minister for Home Affairs in the Union Cabinet of India in 1989. Mufti Syed rejoined the Congress under P V Narasimha Rao, which he left in 1999 again to form his own party, Jammu and Kashmir People's Democratic Party, along with his daughter

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Ms.Mehbooba.

Mufti Mohammad Syed participated in the 2002 assembly election and won 18 assembly seats for his People's Democratic Party. This led to formation of a coalition government with the Indian National Congress, and Mufti Syed was sworn in as the Chief Minister of Jammu and Kashmir for a term of three years under a rotational power sharing formula.

His tenure was plagued by the uncertainties caused by militant activities inherited from the previous regime that had led to mass migration of Kashmiri Pundits from the valley besides thousands of Muslims. Keen to normalize the situation he strived to involve Kashmiri Pundits in the politics of Jammu and Kashmir and his government initiated and built condominiums for the migrant Kashmiri Pundits at Budgam. A move that came a cropper as it rattled a small section of Kashmiri Muslims who were averse to the return of Pundits for reasons arising out of a mass exodus and prolonged absence of Pundits from the valley besides the hesitancy of Pundits themselves to return to Kashmir for obvious reasons.

PDP, Mufti Sahib's political outfit claimed that normalcy had returned to the valley and continued sending signals and conveying through different modes to Pundits to come back to Kashmir. On the other hand, Farooq Abdullah in the meantime visited Kashmiri Pundits at Misriwala Camp, Jammu and warned them not to return to Kashmir as things were not congenial for the return of Pundits to valley. However, around 2007, situation in the valley was certainly better than what it had been during Farooq Abdullah's period. Unfortunately around that time the Amarnath Land row agitation led by Syed

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Ali shah Geelani, unveiled the strong undercurrents of religious intolerance by the pro Pakistani sections of Valley's majority community.

Mufti Mohd.Syed the Chief Minister and his daughter Mehbooba Mufti, the Vice- President of Peoples Democratic Party went on a tour of some of the well-developed states of the country. They interacted with the politicians, businessmen and captains of industry with the aim of projecting a new peaceful Kashmir. This was an obvious attempt to woo capital in-flow to rehabilitate the floundering economy of the state. Their well- intentioned move however was too premature at that time. The return to normalcy of the state was a slow process; isolated instances of well-planned terrorism were being still executed to keep the pretence of an uprising alive. Moreover, the wounds sustained by the Pundit community remained un-healed.

Mufti Sahib could make little headway in his efforts of inviting the corporate world or the hospitality industry. The reception to him and his daughter in a Mumbai film function was far from a warm one. At a dinner organized in their honour, a war of words with Mehbooba Mufti took place over the resettlement of Kashmiri Pundits. The famous cine actor Mr Anupam Kher sarcastically remarked that his friend Satish Kaushik often jokes, "We do not need to shoot in Kashmir because Kashmiris are shooting themselves." Ms. Mehbooba replying to Anupam Kher's speech criticized him for making assumptions about Muftis not being sympathetic to the cause of Kashmiri Pundits. Speaking, in an emotionally charged vein, she revealed that she had grown up with the Kashmiri Pundits and taken refuge in their homes when she quarreled with her parents.

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Mufti Syed was apologetic while commenting on the issue of the Kashmiri Pandit refugees. "We must hang our heads in shame for our own people have become homeless. We will not rest until they come back. I am determined to give them back their land," he admitted.

Ghulam Nabi Azad; (born March 7, 1949 in Jammu and Kashmir) a seasoned politician possessing an impeccable record of administrative and organizational talent took over as the chief Minister of the Jammu & Kashmir state on October 27, 2005, in accordance of the pre poll arrangement between the Congress and National Conference. He was the Parliamentary Affairs Minister of India in the government of Prime Minister Manmohan Singh. After achieving victories in several key states, including Kerala, Karnataka and Andhra Pradesh, the 'crisis manager' of the Congress surprised many when he led the party successfully in the 2002 Assembly election in Jammu and Kashmir.



Azad's forte is his organizational skills, having been the AICC general secretary for a record nine times, and member of the powerful Congress Working Committee for eighteen years. As a

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Union minister, he steered successive Congress governments to victory in several no-confidence motions including the minority government of P. V. Narasimha Rao in the early 1990s. After his election to the Seventh Lok Sabha from Maharashtra's Washim (Lok Sabha constituency) in 1980, Azad entered into the Central government as Deputy Minister in charge of Law, Justice and Company Affairs Ministry in 1982. Subsequently, he was elected to the Eighth Lok Sabha in 1984 and became a Rajya Sabha member in 1990. During Rao's government, Azad took charge of Parliamentary Affairs and Civil Aviation ministries.

The relations between the coalition partners Congress and PDP came under strain when People's Democratic Party legislator Murtaza Khan introduced in 2004 a Private Member's Bill in the Legislative Council. The bill in effect sought to deprive the daughters of Jammu Kashmir of their natural right to marry persons of their choice outside the state, and thereby snatch their right to own immovable property, inherit ancestral property in J&K., or obtain jobs with the State Government in case they marry persons other than State Subjects.

As against this, a woman who is a non- state subject shall become a permanent resident on marrying a male permanent resident of the State. The biased gender classification between males and females and between females and females is contrary to the spirit of Article 14 of the Constitution.

The discrimination against any citizen on the ground of sex is contrary to Article 15(1). Clause (i) of Article 16 states that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. The

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Act violates this provision of the Constitution.Through an examination of the trajectory of the Bill, and the legal and judicial discourses surrounding it, the critics argue that while seeking to preserve the specificity of the state of Jammu and Kashmir, the Bill creates a gendered hierarchy of citizens, making women's citizenship conditional and dependent on their status upon marriage.

The contention lays down that the "State Subject Certificate" (SSC) issued to a woman citizen of the state shall remain "valid till marriage", and that a fresh SSC will be issued to her only if she proves she has married a "State Subject". The SSC is a mandatory document for acquiring "immovable property in J&K", or obtaining jobs under the State Government. The provisions enumerated in Part-III of the J&K Constitution were enforced on January 26th, 1957.

Muzaffar Baig introduced the Disqualification Bill into the Jammu and Kashmir Legislative Assembly on March 6, 2004. At that time, Baig was the Minister of Law and Finance of Jammu and Kashmir and a prominent member of the People's Democratic Party (PDP), part of the ruling coalition with the Congress Party. The legislative response began several months after the decision issued in October 2002, when the state government, led by a coalition including the Congress Party and the PDP, withdrew its special leave petition to appeal the decision. In Legislative Assembly sessions, PDP office holders justified this decision as necessary to ensure that the final say on the state subject law came not from the Supreme Court of India, but from the state legislature.

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During a Legislative Assembly session on February 24th, 2004, the party president, Mehbooba Mufti, stated, "To repose faith in the state legislature to frame a law in this regard is a judicious decision." She further argued PDP faced consternation from its major alliance partner, the Indian National Congress Party, led by Sonia Gandhi. By March 7th, news of the Disqualification Bill's passage had become a national affair. The Bharatiya Janata Party (BJP) unexpectedly allied with national Indian women's groups, expressing their vehement opposition to the Disqualification Bill. Sonia Gandhi expressed her "anguish" and urged state lawmakers to reconsider the Disqualification Bill or refer it to a select committee.

The Disqualification Bill was re-introduced in August 2004. This time around, instead of verbal attacks and vocal disruptions, members of the Legislative Assembly threw chairs and tables at each other, and disrupted speakers by marching and slogan shouting inside the legislative houses. After drawing national attention once again and causing yet another fracas, the Disqualification Bill failed to garner the necessary two-thirds vote to pass. This piece of legislature discriminatory on gender basis and derogatory to fair sex has been the subject matter of several legal battles.

Authorities in Srinagar have been enforcing these outdated laws ruthlessly, particularly since 1956, and subjecting female citizens to the worst kinds of inequities. Even a casual scrutiny of the kind of treatment meted out to the Director of All Indian Radio, Leh, Tsering Angmo, former J&K Prime Minister Bakshi Ghulam Mohammad's grand-daughter; and former Punjab Governor Surinder Nath's daughter-in-law Rubina Malhotra

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and Amarjeet Kaur of Baramulla, is enough to judge the extent to which the basic citizenship rights of women in the State were trampled upon by the authorities before October 7th, 2002. Rubina Malhotra, an MBBS from the State Medical College, moved heaven and earth in the early 50s to get admission in the Post-Graduate course in Medicine in J&K. All her efforts failed to carry conviction with the biased authorities as she, like Tsering Angmo, had married a "non-State Subject" Punjabi.

Convinced that the rulers in Srinagar would not scrap the anti-women state subject certificates (SSCs) on their own, Rubina challenged their constitutional validity in the J&K High Court. Her petition like of several others, awaited judgment by the High Court for nearly two decades. It was only on October 7th, 2002 that the Full Bench of the J&K High Court upheld Rubina Malhotra's plea.(Appendix-4)

To add to the innumerable woes of the State, in June 2008, Ghulam Nabi Azad's government announced plans to transfer land to the board of a Hindu shrine (The Amar Nath yatra trust). Though it was an important issue for the environmentalists, Syeed Geelani made a political/communal issue out of it. Many Muslims were angered by this decision and protested, which led the government to cancel the transfer. However, this reversal provoked Hindu protests in Jammu straining the political atmospheres of Kashmir further. Seven people were reported killed in violence that accompanied these protests. The People's Democratic Party, a coalition partner of the Indian National Congress in Jammu and Kashmir, withdrew its support for

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Azad's government, and rather than attempt to sustain his Government by requesting a vote of confidence, Azad resigned on July 7th, 2008, and left office on July 11th, 2008.

How even a seasoned politician who is endowed with best of organizational skills and political sensiblities became a victim to the shifting sands of Kashmir politics is a leaf out of a Greek tragedy. Surprisingly the great tragic drama was played around one of the holiest of holy Hindu shrines-Shri Amar Nath cave. The story is summarized as below.

Amarnath cave and the political mess.

The earliest mention of the Amarnath cave is mentioned in Kalhan's Raja Tarangni. However it seems to have lost its eminence for centuries when it was rediscovered by a Muslim shepherd of Mallik clan in 15th century AD.The cave is situated at an altitude of 3,888 m (12,756 ft), about 141 km from Srinagar, the capital of Jammu and Kashmir and reached through Pahalgam town.

The shrine has assumed an important place amongst Hindu shrines and is considered one of the holiest shrines for Hindus. The cave surrounded by snowy mountains itself is covered with snow most time of the year except for a short period in summer when it is open for pilgrims. An annual pilgrimage is made to the Amarnath cave by lakhs of Hindu devotees.

Inside the 40 m (130 ft) high Amarnath cave, an ice stalagmite gets formed due to freezing of water drops that fall from the roof of the cave on to the floor and grows up vertically from the cave floor. Devout Hindus consider it a Shiva Linga. It waxes during

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May to August as snow melts in the mountains above the cave and the resultant water seeps into the rocks that form the cave and gradually wanes thereafter. According to a Hindu legend, this is the cave where Shiva explained the secret of life and eternity to his divine consort Parvati. Two other ice formations represent Parvati and Shiva's son, Ganesha.

In 2011 Amarnath cave shrine received about 6,34,000 persons, the highest recorded number for the site. Each year sees an increase in the number of pilgrims visiting the cave in the mountainous area.

Pilgrims visit the holy site during the 45-day season around the festival of Shravani Mela in July–August, coinciding with the Hindu holy month of Shraavana.

To cope with the milling crowds,the State Road Transport and private transport operators provide regular bus services from Jammu to Pahalgam and Baltal base. In addition, privately hired taxis are available from Jammu and from Srinagar.

The shorter northern route is just about 16 km long, but has a very steep gradient and is quite difficult to climb. It starts from Baltal and passes through Domial, Barari, and Sangam to reach the cave. The northern route is along the Amarnath valley and all along the route one can see the river Amaravathy that originates from Amarnath Glacier.

En route to the cave, various non-profit social and religious outfits set up food stalls and resting tents called *langurs* and *pandals* which are free for the pilgrims. Near the shrine, hundreds of tents, which are erected by locals, can be hired for a

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night's stay. Helicopter services from base camp to Panjtarni (6 km from the cave) are also available from various private operators.

Pilgrimage hazards.

The pilgrimage was banned from 1991 to 1995 due to threats from militants. In 1996 the militants assured that they would not cause any problems to the piligrims thereby allowing to resume yatra with far greater numbers than in previous years

The ever-haunting threat of militants has put severe strain on the security forces. Every year, thousands of central police and state police personnel are deployed to provide security to pilgrims from potential terror threats. The forces position themselves at various points and in the perimeter of the shrine.

All the same, scores of people have lost their lives during this tortuous pilgrimage. Physically unfit people are the easiest victims of a treacherous terrain and the unpredictable weather. Some also die in road accidents before reaching the base camp from where the yatra starts. However, unseasonal blizzards in late August once caught nearly a lakh pilgrims by surprise in a tragedy that claimed the lives of 242 yatris as the piligrims are called, killed by exhaustion and exposure.

The Yatra is organised by the State Government in collaboration with the Shree Amarnath Yatra trust. The Government agencies provide necessary facilities all along the route during the Yatra

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period, which includes provision of ponies, supply of power, telecommunication facilities, firewood and setting up of fair price shops.

The unholy controversy

On 26th May 2008, the Government of India and the state government of Jammu and Kashmir reached an agreement to transfer 100 acres (0.40 km2) of forest land to the Shri Amarnathji Shrine Board (SASB) to set up temporary shelters and facilities for the Hindu pilgrims.

Amarnathji Shrine Board (SASB), was constituted by an Act of the Jammu & Kashmir State Legislature in 2000.It has the Jammu and Kashmir Governor as its ex-officio Chairman. The Amarnathji Shrine Board is responsible for the better management of the Shri Amarnathji Yatra, upgradation of facilities for holy pilgrims and matters connected therewith. Assisted by a Chief Executive Officer who is a senior IAS officer and eight Board Members, the board is constantly working towards making this journey as comfortable as possible.

The land allotment to SASB has caused a controversy, which led to demonstrations in the Kashmir valley against the land transfer and protests from the Jammu region supporting the transfers. The largest demonstration saw more than 500,000 protesters at a single rally, among the largest in Kashmir's history. Six people were killed and 100 injured when police fired into a crowd in Srinagar protesting the transfer of forestland. Separatist JKLF organized a march to the controversial land in Baltal. Senior separatist leaders Shabir Ahmad Shah, Syed Ali

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Shah Geelani and Mirwaiz Omar Farooq, leaders of the All Parties Hurriyat Conference (APHC), which planned the protests, were placed under house arrest.

In Srinagar area, most public buildings, including schools and government offices, and many businesses, remained closed.

Succumbing to severe public pressure, the State government accepted the demands of the protesters from the Kashmir valley by revoking the land transfer decision on July 1, 2008.

This in turn led to Hindu groups in the Jammu region reacting by mounting their own counter-protests against the revocation and called for the cancellation of the revocation decision. The people of the Jammu region generally supported the land transfer, and threatened to shut down the city on 26 June 2008. Twenty kilometers away, in Nagrota,Bharatiya Janata Party (BJP) supporters blocked the highway. They were joined by 35 other organizations, under the banner of Amarnath Shrine Sangharsh Samiti. The Samiti put forth two main demands: that of recalling Governor NN Vohra and the restoration of land to the Shrine Board.The extreme rightist Hindu organisations such as the Bajrang Dal and the Vishwa Hindu Parishad (VHP) protested in front of Kashmir House in Delhi in support of the forest land transfer.

The situation in Jammu suddenly deteriorated after one Kuldeep Raj committed suicide in protest on July 23. Protests spread to other parts of Jammu province. Curfew was imposed in many districts. An economic blockade of the Kashmir Valley was affected by stopping traffic on the Srinagar-Jammu National Highway.

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The "economic blockade" theory was however fiercely contested by the Government of India, the Army, the District Administration & SASB who maintained that there was no blockade. BJP called the blockade "a lie perpetuated by the ISI", of which there was no compelling evidence, and maintained the people of the Valley were being misled with false propaganda, aiding the designs of separatists.This statement however holds no water in the light of violence and lawlessness that marked the protets.

One person was killed and another injured on August 6, 2008 when the Army fired to disperse a violent mob, which was blocking the Jammu-Pathankot Highway in Kathua district. Two protesters were killed and eight injured as police opened fire to quell a mob in Samba district on August 1 2008. There were, however, reports of Hindu rioters in Jammu attacking and burning at least 72 Muslim homes during the weeks of violent protests.

Shri Amarnath Yatra Sangharsh Samiti convener Leela Karan Sharma is said to have stated on August 6, 2008 that nothing short of revocation of the cancellation of the land transfer to Amarnath Shrine Board would be acceptable. He opined that the state government was responsible for flaring religious sentiments by allowing construction of the Muslim Jama Masjid at Baltal, but not allowing a temporary structure for the benefit of Hindu yatris.

Environmentalists have expressed serious concern that the number of people participating in the Amarnath Yatra is having a negative impact on the area's ecology and some have expressed

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support for government regulated limits on the number of pilgrims permitted to make the trek.

As the Kashmiri protests grew wider and more violent, the People's Democratic Party (PDP) said that it would withdraw support to the Congress (INC)-led State government if it did not revoke the land transfer agreement. Though the land transfer was revoked (after the PDP withdrew its support), the crisis deepened further when the PDP didn't lend support to the State government even after the revocation. Meanwhile, the Gulam Nabi Azad's minority government decided to step down.

The PDP withdrew from the government in the wake of massive protests in the Valley against the allotment of forest land to Sri Amarnath Shrine Board (SASB) which was subsequently cancelled by the state cabinet to defuse the situation.

Jammu and Kashmir chief minister Ghulam Nabi Azad announced the resignation of his government after failing to secure majority support in the 87-member state assembly.

Azad announced his decision to resign on the floor of the House at the end of his one-and a-half-hour-long speech on the confidence motion he moved that morning in the house. However, Azad withdrew the confidence motion which was to be put to vote to prove his support in the house. The one-day session of the state assembly had been convened on the instance of state governor N.N.Vohra who had asked Azad to prove his majority in the house, following withdrawal of support by the People's Democratic Party (PDP), the key coalition partner on June 28.

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"I am resigning," announced Azad in the state assembly wherein 87 members belonging to various political parties were present, with the lone exception being former state chief minister and PDP patron Mufti Mohammad Sayeed who was in the US for medical treatment. Addressing the house which assembled , Azad listed the achievements of his two-and-a-half-year-old government indicating earlier on about his intention to resign.

Actually, the genesis of all the ugly incidents witnessed in the turmoil was the subtle pressurising of the State government by the previous Governor Lieutenant General S K Sinha (retd).He not only initiated the creation of such a board by law but also included in it a provision making the governor the chairman.

Even though General Sinha stoutly dismisses any suggestion of forcing the government to have the 100 acres of forest land allotted for the SASB's use, the very fact of his having favoured the creation of the board and his acceptance of its active chairmanship would certainly have made the cabinet feel a sense of obligation to comply with the SASB's request for land.

In view of the dignity and decorum of the office of Governor it is highly inadvisable for a Governor to be associated with any arrangement involving executive responsibility of any kind, leave alone getting interested in matters having to do with religious connotations and susceptibilities. The Governor should ideally be content to be a benign presence, giving his advice when sought and generally conducting himself in a manner that will inspire trust and confidence in his dispassionate approach to affairs of state.

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Unwittingly General Sinha's obvious enthusiasm in improving the facilities of the Amarnath yatris made him a marked figure. His exit was the signal for disturbances by extremist Muslim groups, as also political parties such as People's Democratic Party and the National Conference that ultimately resulted in the revocation of the decision to transfer land to SASB, even though the PDP Ministers had earlier approved the allotment.

It is unrealistic as well as unreasonable for the Samiti to insist on a second volte face by the government. It should be gracious enough to accept the government's guarantee of protection for the yatris and provision of whatever facilities are required for their comfort. Now that the members of the SASB have handed in their resignations and the Governor also is prepared to step down, it will be possible to reconstitute the board with members noted for their eminence for serving as a channel of assistance and communication between the government and the yatris.

The whole gamut of tragic events, for about six weeks, inflicted immense human suffering and lead to loss of precious lives.

The draining away of energy of the people as well as of the government ,along wasteful and destructive channels ,could have easily been avoided if only both the state and central governments at the highest levels had the leadership, imagination and sensitivity to gauge the delicate nature of the crisis at hand and taken effective measures to address it at the first sign of trouble. (Ref:Wikipedia)

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To summarise the troublesome controversy, the valley's population feels that their homeland is essentially occupied, and harbours a deep sense of oppression over several decades and generations by Indian governments.

This powerful sense of unmitigated grievance was triggered by yet another 'slight' - the decision to transfer land without any consultation with the valley's people.

Jammu's Hindus have long felt bypassed and neglected as a minority in Indian-administered Kashmir. They viewed the subsequent revocation of the transfer as yet another cave-in to the valley's more numerous Muslims, and reacted with an uncalled for raw anger.

Omar Abdullah



Born 10th March 1970, he is the son of Farooq Abdullah and grandson of Sheikh Mohammed Abdullah, all three of whom have been Prime and Chief Ministers of Jammu and Kashmir. Omar Abdullah joined politics in 1998, as a Lok Sabha member, a feat he repeated in subsequent three elections.

The scion of one of the state's most prominent political family,

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the Abdullah family, he became the youngest Chief Minister of the northern Indian State of Jammu and Kashmir, after forming a government in coalition with the Congress party, on 5th January 2009.

In 1999, he was elected to 2nd term as a Member of Parliament. On 13th October 1999 he took oath as Union minister in the ministry of Commerce and Industry. On 22nd July 2001, he became the youngest Union Minister, when he was made Union Minister of State in External ministry in Atal Bihari Vajpayees NDA government, from 23 July 2001 to 23 December 2002.

On 23rd.June 2002, he took on the mantle of National Conference from his father by becoming the President of the National Conference party.

He lost his Ganderbal seat in the Kashmir Assembly elections held in September–October 2002. In the years that followed his defeat, Omar Abdullah set about putting his party in order. He worked on India-Pakistan relations, which culminated in his having a controversial meeting with President Musharraf in Islamabad.

In March 2006 after being re elected as the President of J&K National Conference, Omar Abdullah had a one-on-one meeting with Pakistan's president, Pervez Musharaf, in Islamabad , much to the disapproval of the centre . This was the first meeting of its kind between a mainstream politician from Jammu & Kashmir and the Pakistani government, thereby re-enforcing Omar's growing commitment to the solution of the Jammu & Kashmir cause.

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On 9th July 2007, Omar escaped a bid on his life when suspected militants threw two rifle grenades targeted at him. The incident happened when Omar was interacting with party workers at a party leader's house.

On 22nd July 2008, Omar gave a passionate speech during the 2008 Lok Sabha vote of confidence, which was praised by almost all quarters, and even won him fans all over the country. That J&K National Conference leader Omar Abdullah would not oppose the nuclear deal — despite being in opposition to the UPA in the state — was well known but in his speech in the Lok Sabha in support of the confidence motion, he was at his impassioned best.

"I am a Muslim and I am an Indian," thundered Omar Abdullah. "And I see no distinction between the two. I do not know why I should fear the nuclear deal. It is a deal between two countries which, I hope, will become two equals in the future," said Abdullah. "The enemies of Indian Muslims are not America or deals like these. The enemies are the same as the enemies of all those who are poor — poverty, hunger, lack of development and the absence of a voice."

This was in pointed reference to the Opposition benches who were trying their best to create a ruckus in the House. Reason being the alleged and subsequently proved fraudulent,a malicious attempt of bribe offer that rocked Parliament hours earlier.

Slamming the Left for acting like judges on the secular credentials of political parties, Abdullah said, "Today, the Left is telling me that all secular parties should stand with the BJP to

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bring down this government. The same Left treated me like a political untouchable when I was with the NDA."

"I am not a member of the UPA and don't aspire to be one. I made a mistake to be with the NDA, especially after Gujarat riots happened. My conscience had asked me to quit NDA but I didn't. My conscience has still not forgiven me," he said.

On the Amarnath issue that Leader of Opposition L K Advani had highlighted in his speech the previous date, Abdullah said he had fought for the cause since it involved the land of his people. He dared the BJP to name a single leader from Jammu and Kashmir who had opposed the Amarnath yatra. "Until the day there is even a single Muslim in Kashmir, from Srinagar to Amarnath, the Amarnath yatra will not be allowed to stop," he said.

It's his image as a secular Muslim that has won Omar the most comment in New Delhi - especially his passionate speech in support of the UPA's Nuclear Deal in Parliament this July.

"I am a Muslim and I am an Indian, and I see no distinction between the two."

Hours after his speech, speaking to the press, Abdullah said: "It was what I felt. I spoke straight from the heart."

"There has been a concerted effort to create this perception that first the Muslims are against the nuclear deal with America and also that the nuclear deal with America is anti-Muslim. This is all rubbish and this perception is being created by those political parties who always want to brand Muslims to be against the interests of the country," he said. "That's why I did emphasize

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that I am a Muslim and I am an Indian and that the two are not mutually exclusive".

He said he was worried whether he will get a chance or not to speak during the debate. "All through the day, it was about cash, bribery and what not. There was a lot of chaos and I really thought I will not get a chance to speak," he said.

Abdullah's speech was one of the three that the UPA unveiled towards the end of the debate in its attempt to nail what it called the "canard" that Muslims were against the nuclear deal — both Mayawati and CPM's M K Pandhe had made that claim, AIMIM's Asaduddin Owaisi and PDP's Mehbooba Mufti, too, attacking the opposition BJP and criticizing the Left for its new alignment.

"I would like to counter the canard that is being spread that the Muslims of this country are against the nuclear deal. I just want to ask why don't the rulers of UP and West Bengal CMs single out and tell whether the Dalits or the Hindus of their state support the deal or not," asked Owaisi. "I am supporting the government because I do not want at any cost the leader of Opposition LK Advani as the Prime Minister."

Owaisi also took swipe at the Left parties for playing the ball along with the opposition BJP in this situation.

"I am very well aware of the Left's hatred against the minorities. While there are about 28 percent Muslims in the West Bengal, why is it that their representation is merely 2 per cent? This is not the way to claim supporting the minorities. If you want to support the BJP, then go ahead. But I am very clear, if Advani becomes the Prime Minister who will suffer? I will suffer a loss. I have already suffered the loss of the Babri masjid," said Owaisi.

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After the 2008 Kashmir Elections, the National Conference won the maximum number of seats, and formed a coalition government with the Congress party. Omar was sworn in as the 11th Chief Minister of Jammu and Kashmir on 5th January 2009.

"He has a clean image. At least nobody can say he failed in his promises in the past because this is his first chance," said his fans on the eve of his swearing in as Chief Minister.

Even Abdullah's strongest adversaries in the separatist camp like Mirwaiz Umer Farooq hesitate from outright criticizing the man who has become Jammu and Kashmir's youngest chief minister.

"He must now represent Kashmir in New Delhi rather than represent New Delhi in Kashmir," said the Mirwaiz hoping that the new chief minister who was sworn on Monday would take his advice seriously.

The decision not to rotate the chief ministership in the state between the ruling National Conference-Congress alliance and allow Abdullah to head the coalition for a full six-year term is definitely expected to bring stability and strength to the post.

"It is definitely a wise decision. Otherwise, the coalition partners start acting like bureaucrats on a tenure posting. Politics has to be different from bureaucracy," said Bashir Manzar, a news paper editor of Kashmir.

"The road ahead for Abdullah is surely thorny, but he is young, energetic, and eager to prove himself. That visibly gives hope to many locals."

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First failure of Omar as C.M

Stray but persistent reports of inhuman atrocities indulged in by security personnel got highlightened by a clumsy effort to hush up and inadvertently shield the culprits in the sensational dual murder and suspected rape of two young ladies in Shopian. The incident has been reported by Asian Tribune of 22nd June as under:

The Kashmir Valley has been in ferment for over three weeks since two young women were found dead in Shopian town, 60 km from Srinagar,and local people took to the streets, suspecting it was yet another case of rape and murder by security forces detailed to fight separatists.

There have been continous street protests, shutdowns and clashes with the police. A call for a shutdown by the All Party Hurriyat Conference in protest against the visit of Vice-President Ahmed Ansari met with near-total response.

The people are outraged because it was not just another case of rape or murders, as both the victims were young, and one was pregnant.

Nilofar Jan(22) and her sister-in-law Asiya Jan (17) set out on the morning of May 30 for their family orchard. When they failed to return by evening, Nilofar's husband complained to police.

After an all-night search, the two were found dead in a shallow mountain stream the next morning. The bodies found were a kilometre apart. Both had extensive injuries and their clothes were torn, according to eyewitnesses. Nilofar was pregnant.

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The incident would not have erupted into violence if the police had done their job instead of attempting a cover-up. Doctors, while doing the autopsy, reportedly got word from the police that if the two women were found to have been raped, the bodies should be quietly handed over to the relatives so as not to risk a riot. Soon word spread of a cover-up and outraged townsmen took to the streets.

The police initially tried to pass it off as a case of drowning though the stream was shallow. To explain away the injuries, the police floated the theory that the two might have fallen off a bridge into the stream and hit the rocks. They refused to register a case of rape and murder until they got a report from the forensic science laboratory as the post-mortem examination could not be completed because of public agitation outside the hospital. Subsequently a second post-mortem was done which reportedly confirmed that the two women were raped and murdered.

What infuriated the agitators was the initial statement of Chief Minister Omar Abdullah, supporting the police theory of death by drowning. Ironically, his National Conference and alliance partner Congress were voted to power in the State only last December and the two parties got renewed support in the just concluded elections to the lower house of Parliament. Given the popular support, there was, therefore, no need for such a knee-jerk reaction from him.

Even moderates felt that the young and inexperienced Omar Abdullah had failed his first test as Chief Minister by bowing to pressure from parties interested. In a damage control exercise, he later ordered a judicial enquiry. Nevertheless, by then,

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separatist All Party Hurriyat Conference fighting for an independent Kashmir or merger with Pakistan and the opposition People's Democratic Party joined the agitation, giving it a further fillip.

Hurriyar leader Syed Ali Shah Geelani's call for a eight-day shutdown in Shopian met with spontaneous response. Not to be outdone, PDP leader and former Chief Minister Mehbooba Mufti threatened to stage a sit-in at the police station until a case of rape and murder was registered.

The police registered a case of rape and murder only after receiving the report of the forensic science laboratory on June 6 and the medical board's report on June 9. The agitation slowed down after 17 days after Justice Muzaffar Jan, a highly respected judge, began his enquiry in right earnest by appointing a man of equal repute as investigator.

Simultaneously, the Jammu and Kashmir police also set up a special task force. But the fact remains that no arrests have been made so far. And the public anger is still simmering. On June 18, the SIT produced in a court in Shopian two eye-witnesses who deposed they heard the cries of women from a blue police van on the evening of May 30 and they were chased away by five uniformed personnel standing outside the van when they tried to intervene. This is a crucial piece of evidence and the onus is on the police to identify the culprits.

To cool tempers, Home Minister P Chidambaram visited the valley and assured the people that the role of the central para-military forces would be restricted and the Chief Minister's demand for the withdrawal of the draconian Armed Forces

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(Special Powers) Act, that gives immunity to security forces operating in insurgency-affected areas, would be considered.

Expressing New Delhi's concern, Prime Minister Manmohan Singh himself described the Shopian incident as unfortunate and affirmed there would be zero tolerance of human rights violation. In another attempt to defuse the situation, he said he was willing to talk to the separatist group, the Hurriyat Conference.

Reflecting the public mood, Kashmir Times has in an editorial said: "There is a long list of flawed decisions since the agitation against the killings began in the valley. On the day the Chief Minister decided to both deny the Shopian murders and announce a commission of inquiry, the district commissioner of Shopian was shifted, though it was never made public what his crime was. In a similar way, though a different vein, the Superintendent of Police Javid Iqbal Mattoo, against whom there is serious suspicion of having shielded the culprits and tampered with the evidence, has been rewarded with a plum post. Such actions have only raised serious apprehensions about the government's sincerity in fairly probing Shopian rapes and murders."

The paper has accused the security forces of having ruthlessly put down public protests and the government of having invoked the tough public safety act to jail separatist leaders. Such vengeful acts, the paper argued, will not help allay public fears over the Shopian incident.

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That there should be such a feeling of alienation so soon after 52 per cent of the people defied the separatists' call for a boycott and voted in the Parliament elections last December shows how ineptly the Omar Abdullah Government has handled the situation.

Veteran analyst Prem Shankar Jha has summed up the catch-22 situation thus: "So long as Kashmir remains volatile, the security forces will oppose any demilitarisation of the State. But so long as more than 3,00,000 armed forces and paramilitary personnel remain in the State, human rights crises will continue to erupt."

Omar and the future relations of Kashmir and India.

Summing up the challenges to be faced by the young Leader.

The renewed troubles in Kashmir are a reminder that conflicts with long histories put on back burners tend to simmer away and then erupt at regular if unpredictable intervals, with tragic and unsettling consequences for all concerned, the people as well as the State. A 'let sleeping dogs lie' approach does gain time for the authorities but the wisdom of this approach is questionable. Intermittent spells of peaceful periods which do not demolish the potential flash points provide nursery for rearing and development of potential mischief creators, time servers and steeling of anti society aims of terrorists.

Kashmir last dominated world headlines in 2002, when India and Pakistan mobilised a million troops on the Line of Control (LoC), the de facto border that divides the State territory. A terror

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raid in December 2001 on India's parliament in New Delhi and a massacre in May 2002 of families of Indian soldiers near the city of Jammu and several other major or minor incidents prove the point.

There has been no progress in the India-Pakistan dialogue on substantive aspects of the Kashmir problem;the Indo-Pak talks having been put on the back burner due to ebbing of insurgency in Kashmir.

Nevertheless, in fact the past few years of relative calm represent a major missed opportunity to engage all communities and factions in Kashmir in a genuine and credible - as distinct from an illusory and vacuous - peace process.

Any notion that the Kashmir conflict has been successfully put in cold storage has been exposed as a delusion during the summer of 2008.

However, there is no precedent to both the major regions,Kashmir and Jammu, simultaneously plunging into turmoil except of late regarding the Amarnath shrine controversy. The turmoil comes at an uncertain time for India-Pakistan relations.

Armed Islamist groups in Kashmir have been lying low since the post-2004 thaw, but they remain present and dangerous.

The frozen conflicts do not stay frozen, and windows of opportunity to make real progress towards solutions do not come often. Stalling on such opportunities can be self defeating and even perilous.

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The state of Jammu & Kashmir ushers into a new age thence forth, hopefully to disprove the comments of Vincent.A.Smith :

"Few regions could have worse luck than Kashmir in the matter of Government"

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Appendix-1

River processions

Besides Kashmir several countries in the world have a tradition of river processions to celebrate important events. Thailand has a beautiful canal system, a river procession is reserved for only significant religious and cultural events. About 50-52 barges arranged in five columns are decorated as per the traditional Thai style presenting a spectacle that is thrilling. Similar river processions are part of cultural life of Japan as also of Myanmar.

In Kashmir the procession is rooted in its history. The streets of the city being narrow and least attractive to look at, all the dignitaries from Sultans to Dogra kings would show themselves to the public by going down the river in a procession.Processions of grooms particularly of Pundit families used to go up or downstream of Jhelum in long decorated boats rowed by colorfully liveried oarsmen.

In modern times, the custom was revived and utilized by Sheikh Mohammed Abdullah to express a warm welcome to honored guests. Some of the outstanding dignitaries who received this heart warming welcome from Kashmiris and their leaders included Jawaharlal Nehru along with Khan Abdul Ghaffar Khan and Maulana Abul Kalam Azad in 1945.The event they had come to attend was the National conference session at Sopore.The colourful procession starts from upstream Jhelum, near the State Guest House. The guests are seated on specially erected platforms of long boats rowed by colorfully dressed oarsmen.

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Decorated 'shikaras' in rows across the river form the flanks of the main long boats carrying the visiting dignitaries and their hosts. The procession goes down the river under the eight bridges en route (now there are more bridges). The spectators waving the flags shower rose petals on the guests below. Standing on the banks of the river and from the windows of the houses, people lustily cheer and greet their guests. The large 'Doonga' boats and load carrying bigger boats are anchored midstream with decorative arches raised thereupon throughout the length of the river in the capital city.

A similar welcome was accorded to the Soviet leaders M/s Bulganin and Khrushchev when they visited Srinagar in 1955.Newsmen both Indian and foreign were astounded to see the entire population of Kashmir flocking to welcome the visiting leaders, braving the cold wind for hours. Bakhshi Ghulam Mohammed who hosted this event was the Prime Minister of J&K state at that time.Following the Sheikh-Indira Gandhi accord in 1975, which saw the return of Sheikh Abdullah to power, Indira Gandhi, the then Prime Minister of India made a State visit to Srinagar. Her two sons, Rajiv and Sanjay and their wives accompanied her. She was taken in a boat procession through the Jhelum river. Giving them company were the hosts Sheikh Sahib and Governor Jha. Thirty-two red-turbaned oarsmen propelled the boat, in which Indira Gandhi was seated, majestically. The lined up spectators shouted slogans praising her as a worthy daughter of Kashmir.

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Appendix-2

THE LAHORE DECLARATION, FEBRUARY 21, 1999

The Prime Ministers of the Republic of India and the Islamic Republic of Pakistan:

Sharing a vision of peace and stability between their countries, and of progress and prosperity for their peoples; Convinced that durable peace and development of harmonious relations and friendly cooperation will serve the vital interests of the peoples of the two countries, enabling them to devote their energies for a better future; Recognising that the nuclear dimension of the security environment of the two countries adds to their responsibility for avoidance of conflict between the two countries; Committed to the principles and purposes of the Charter of the United Nations, and the universally accepted principles of peaceful co- existence; Reiterating the determination of both countries to implementing the Shimla Agreement in letter and spirit; Committed to the objective of universal nuclear disarmament and non-proliferation; Convinced of the importance of mutually agreed confidence building measures for improving the security environment; Recalling their agreement of 23rd September, 1998, that an environment of peace and security is in the supreme national interest of both sides and that the resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose; Have agreed that their respective governments shall

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intensify their efforts to resolve all issues, including the issue of Jammu and Kashmir; Shall refrain from intervention and interference in each other's internal affairs; Shall intensify their composite and integrated dialogue process for an early and positive out come of the agreed bilateral agenda; Shall take immediate steps for reducing the risk of accidental or unauthorised use of nuclear weapons and discuss concepts and doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict; Reaffirm their commitment to the goals and objectives of SAARC and to concert their efforts towards the realisation of the SAARC vision for the year 2000 and beyond with a view to promoting the welfare of the peoples of South Asia and to improve their quality of life through accelerated economic growth, social progress and cultural development; Reaffirm their condemnation of terrorism in all its forms and manifestations and their determination to combat this menace; Shall promote and protect all human rights and fundamental freedoms.

Signed at Lahore on the 21st day of February1999.

Atal Behari Vajpayee - Prime Minister of the Republic of India.
Muhammad Nawaz Sharif - Prime Minister of the Islamic Republic of Pakistan.

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Appendix-3

BENAZIR BHUTTO'S statement

As per Daily Dawn dated 04-02-2008 report

"In the book some extracts of which were carried by The Sunday Times (Exclusive: Benazir Bhutto's last testament)

Ms Bhutto gives a hint about the hands that wrote the plot to kill her. "When I returned, I did not know whether I would live or die. I knew that the same elements of Pakistani society that had colluded to destroy my father, Zulfikar Ali Bhutto, and end democracy in Pakistan in 1977 were now arrayed against me for the same purpose exactly 30 years later. "I was told by both the Musharraf regime and a foreign Muslim government that four suicide bomber squads would attempt to kill me. These included, the reports said, squads sent by the Taliban warlord Baitullah Mehsud, Hamza Bin Laden a son of Osama Bin Laden, Red Mosque militants, and a Karachi-based militant group." "She disclosed that a media representative had told her on return from Dubai that he had received a phone call from a retired military official that there would be an attack on her that day and that the MQM would be doing that. "I said that if such an attack comes, it would not be from the MQM."

Benazir Bhutto was assassinated on 27th December 2007 in Rawalpindi, Pakistan. Bhutto, twice Prime Minister of Pakistan (1988–1990; 1993–1996) and then-leader of the opposition Pakistan Peoples Party, had been campaigning ahead of elections due in January 2008.

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Apendix -4

(From the magazine ' India Together')

Kashmiri women: Citizens at last

High Court rejects gender-discriminatory interpretation of J&K's "permanent resident" status, December 2002, Srinagar (WFS) –

Until now, the women of Jammu and Kashmir were living under an archaic law that denied them equality and justice. Overturning this, the Jammu and Kashmir High Court recently pronounced a historic verdict - after 25 years of argument - that women marrying outsiders did not stand to lose their right to resident status, work, education and inheritance. The impugned law that governed 'permanent resident status' in J&K stated that a woman ceased to be a subject of the state if she married a non-J&K resident. What this meant was that she would then lose her right to obtain or continue in a government job, own land and property, pursue higher education, contest or vote in municipal and state elections. However, non-J&K resident wives of J&K men automatically became state subjects. But there was a condition even for this: "A wife or a widow of a state subject of any class shall acquire the status of her husband as state subject of the same class as her husband, so long as she resides in the state and does not leave the state for permanent residence outside the state."

Henna, daughter of former Chief Minister, Faroukh Abdullah, ceased to be a state subject when she married a South African settled in London. (Ironically, the non-J&K residents whom her father and brother married became entitled to resident status.) Some of the other prominent women who suffered because of this discriminatory law include Dogri poetess Padma Sachdev; former Maharaja Karan Singh's daughter Jyoti Singh; former

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state prime minister Bakshi Gulam Mohammed's grand daughter, Dr Ruby; Rashmi Singh, daughter of late Om Mehta, a former union minister; and Dr Posh Charak, daughter of the first Member of Parliament from J&K, Thakur Lachhman Singh Charak. This law concerning 'state subjects' was enforced in J&K on April 20, 1927, when Kashmir's then ruler, Maharaja Hari Singh, first promulgated it to prevent rich foreigners from purchasing land, and to protect the interests of the peasantry.

The state's democratically elected government later adopted the law. The law continued till 1957, when the new constitution of J&K was introduced and 'state subject' was changed to 'permanent resident'. Permanent Resident Status (PRS) was accorded to those who had been living in the state for at least 10 years before 14 May 1954. This PRS was permanent and non-discriminatory. However, on March 25, 1969, the government issued a circular of instructions to all state deputy commissioners, asking them to issue permanent resident certificates to unmarried girls. These would be valid only up to their weddings "so that her status (could be) re-examined and defined on the basis of the status of her husband".Thus, women residents of J&K had to apply for a fresh certificate at the time of their wedding, explaining the status of their husbands. While marriage could strip women of their citizenship rights, the regulation not only allowed men to retain the benefits of residency even if they migrated to a foreign land but also conferred such benefits to their children even if they were born abroad. Some members of the State Legislative Assembly did make several unsuccessful attempts to seek abolition of this discriminatory law but those of the political class who supported it largely outnumbered them. The various reasons trotted out in support were - "to safeguard our state from going the way of Assam, where the original residents are now in a minority"; "the legislation is in the best interests of the special status of the

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state"; and "because it is very important to ensure the purity of our progeny"! Imrana Siddiqui, editor of an Urdu daily, said, "Women's groups have for long ridiculed such claims and are conscious of the fact that there is a deliberate campaign by the men in power to link a women's issue with sensitive ones like 'special status of Jammu and Kashmir'." She also maintained that women's groups across the country empathised with the cause but were prevented from taking up the issue, as it was sub-judice.The legal battle started in 1978 when Amarjeet Kaur of Chogal village in Kupwara district sought to acquire her share of property. Amarjeet and her sister were married in Punjab to non-J&K residents, and their brother claimed that they were no longer residents and therefore could not get possession of the property. Amarjeet went on to win the case and inspired many more similarly affected women. Rubina Nasarrullah (daughter-in-law of former Punjab Governor Surinder Nath) challenged the law when she was denied admission to pursue post-graduate studies in medicine after marrying an outsider. The October 2002 judgement - by a full bench of the High Court - is the result of the concerted effort of 12 petitioners. Overruling an earlier judgement that referred to a case in which a woman of the state, on marrying an outsider, acquired the domicile of her husband, the judge concluded, "The judgement no longer holds the field and is overruled because it relied on section 10 of the British Law which had itself been amended." The judgement has wider implications. Apart from women, also celebrating this historic judgement are over 200,000 refugees who came to J&K from the Pakistani side at the time of Partition in 1947. They have been demanding PRS since then and it is only now that they have achieved their goal.

Pamela Bhagat

December 2002

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Appendix-5

Demography

India controls 101,338 km2 (39,127 sq mi) of the disputed territory, Pakistan 85,846 km2 (33,145 sq mi) and China, the remaining 37,555 km2 (14,500 sq mi).In 2003, the percentage of Muslims in the Kashmir Valley was 95% and those of Hindus 4%; the same year, in Jammu, the percentage of Hindus was 66% and those of Muslims 30%. In the 1901 Census of the British Indian Empire, the population of the princely state of Kashmir and Jammu was 2,905,578. Of these 2,154,695 were Muslims (74.16%), 689,073 Hindus (23.72%), 25,828 Sikhs, and 35,047 Buddhists.



The borders of Jammu Kashmir state in October1947
Marked by line in red.

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